

# Building Act 2016

## Director's Maintenance of Prescribed Essential Building Services Determination

I, Dale Edward Webster, in my capacity as Director of Building Control, and acting pursuant to section 20(1)(d) of the *Building Act 2016*, hereby make the following Determination.

Determination title	Maintenance
<b>Description</b>	For the purposes of Part 14 of the <i>Building Act 2016</i> and Part 7 of the <i>Building Regulations 2016</i> this Determination specifies: <ul style="list-style-type: none"><li>• the prescribed Essential Building Services required to be maintained; and</li><li>• the required frequency of testing, inspection or maintenance of those Essential Building Services.</li></ul>
<b>Version</b>	Version 1.1, 1 July 2017
<b>Application</b>	For the purposes of section 20(3)(b) of the Act, this Determination applies from 1 August 2017 until its revocation.
<b>Date of Director's approval</b>	1 July 2017



Dale Edward Webster  
**Director of Building Control**

## Document Development History

Version	Application Date	Sections amended
1.1	1 July 2017	<ul style="list-style-type: none"> <li>• Updating of standards referenced in Clauses 1.21 and 1.22</li> <li>• Renumbering of Clauses: <ul style="list-style-type: none"> <li>○ 1.23A as Clause 1.24</li> <li>○ 1.24 as 1.25</li> </ul> </li> <li>• Addition in Clause 1.25 of any performance solutions, or any other maintainable features or measures, designated by the permit authority or building surveyor</li> </ul>
1.0	21 December 2016	Original release

## Definitions

“**Act**” means the *Building Act 2016*

“**Building Class**” means the Classification System used in the National Construction Code

“**Essential Building Services**” is defined in s.4 of the Act and for the purposes of this Determination the following are prescribed:

1. features or measures of the types included in Tables 1.1 – 1.25 that are in, or associated with any premises;

“**Former Act**” means the *Building Act 2000* and *Building Regulations 2014*

“**NCC**” means the National Construction Code provisions in Volume One (building features or measures) or Volume Three (plumbing features).

“**Maintenance**” refers to the activities performed pursuant to regulation 74 the *Building Regulations 2016*.

“**Competent person**” means someone who has sufficient training and experience or knowledge and other qualities that allow them to perform that work to comply with the NCC or a particular Standard. The level of competence required will depend on the complexity of the building work. That person may specialise in a particular type of work, but is not necessarily the holder of an occupational licence.

## Application to Classes of buildings:

For the purposes of regulation 72 of the *Building Regulations 2016* this Determination applies to the following Classes of buildings:

1. Class 1b - Class 9 buildings and a Class 10C building – where any prescribed Essential Building Services as listed in Tables 1.1 - 1.25 is situated or associated; or
2. Class 1a and Class 10a buildings – where any prescribed Essential Building Services that is a plumbing installation, feature or measure as listed in Tables 1.20, 1.21, 1.23 or 1.24 is situated or associated.

## **Explanatory Information:**

### **Requirements for the maintenance of new building work**

The details of the relevant frequency of testing and inspection of each type of feature or measure are specified in this Determination.

For new buildings or alterations or additions to existing buildings, the building surveyor who issues the Occupancy Permit for the building determines a Maintenance Schedule of prescribed essential services specific to the particular building. They will issue that Schedule to the owner using the Approved Form No. 46 (Maintenance Schedule).

### **Requirements for maintenance of buildings built or altered before 1 July 2004**

A requirement for all owners to maintain prescribed essential building services first became law in July 2004 under the former Act. For owners of all existing buildings that meant establishing what are the features or measures for their building and then performing the required regular maintenance.

Most owners of existing buildings have now complied with this legal requirement, however some have failed to do so and therefore they must seek advice on how to comply with the *Building Act 2016*, including the creation of a Maintenance Schedule for their premises.

For existing buildings it will be necessary for owners to engage a building surveyor to create a Maintenance Schedule and to determine the ongoing maintenance requirements. The Schedule will describe what are the particular maintainable essential building services of each building and determine the performance level to which each is required to perform. It will also reference the frequency of testing or inspection as specified by the Director of Building Control for each maintainable essential service.

There is no Approved Form for a Maintenance Schedule for an existing building, however the Approved Form for new building work may be adapted for this purpose.

## **Who can perform the required maintenance work?**

The type of maintenance required of the essential services will depend on the results of inspections performed and the complexity of the feature or measure included in a building.

There is no direct licensing of persons who perform the regular inspection and maintenance work under either the *Building Act 2016* or the *Occupational Licensing Act 2005*. The level of skills of the persons performing checking of the essential building services will therefore depend on the complexity of each type of service or feature.

For some types of simple safety features an employee could undergo some basic training or induction to understand what they are checking and why this work is being performed. For example, that the latch on a fire exit door is working correctly and paths of travel to that door are not obstructed.

If however the testing and maintenance of a safety feature involves electrical, mechanical, fire protection or other technical skills then a contractor who possesses specialist skills must perform the maintenance.

## **Introduction of maintenance requirements of prescribed plumbing installations of Class 1a or Class 10a buildings**

The *Building Regulations 2016*, Part 7 makes provision for any prescribed High Risk plumbing work, features or installations fitted in, or associated, with a residence (Class 1a), or a Class 10a building (non-habitable building) to be maintained as Essential Building Services. This replaces the

maintenance obligations for comparable types of plumbing installations that owners had to perform under the former Act, as required by a Special Plumbing Permit.

## **Maintenance of prescribed plumbing installations**

Specific requirements for maintenance of certain types of plumbing installations situated in any Class of building, including the prescribed Essential Building Services, are found in a separate Director's Determination - [Required Maintenance of Plumbing Installations Dec 2016 v1.0](#)

## TABLES OF PRESCRIBED ESSENTIAL BUILDING SERVICES

<b>Table 1.1 BUILDING FIRE INTEGRITY</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC provisions for determining standard of performance</b>	
Building elements <i>required</i> to satisfy prescribed <i>fire-resistance levels</i>	Section C, D1.12	As prescribed in AS 1851 - 2012.
Materials and assemblies <i>required</i> to have <i>fire hazard properties</i>	C1.10	As prescribed in AS 1851 - 2012.
Elements <i>required</i> to be <i>non-combustible</i> , provide fire protection, compartmentation or separation	C2.5 to C2.14, C3.3, C3.11, D1.7, D1.8, E1.3, G3.4	As prescribed in AS 1851 - 2012.
Wall-wetting sprinklers (including doors and windows <i>required</i> in conjunction with wall-wetting sprinklers)	C3.4, C3.8, C3.11, D1.7, D1.8, G3.8	As prescribed in AS 1851 - 2012.
Fire doors (including sliding fire doors and their associated warning systems) and associated <i>self-closing</i> , <i>automatic</i> closing and latching mechanisms	C2.12, C2.13, C3.4 to C3.8, C3.10, C3.11, D1.7, D1.8, D1.12	As prescribed in AS 1851 - 2012.
Fire windows (including windows that are <i>automatic</i> or permanently fixed in the closed position)	C3.4, C3.8, C3.11, D1.7 to D1.8	As prescribed in AS 1851 - 2012.
Fire shutters	C3.4, C3.5, D1.7, D1.8	As prescribed in AS 1851 – 2012.
Solid core doors and associated <i>self-closing</i> , <i>automatic</i> closing and latching mechanisms	C3.11	As prescribed in AS 1851 - 2012.

Fire-protection at service penetrations through elements <i>required to be fire-resisting with respect to integrity or insulation, or to have a resistance to the incipient spread of fire</i>	C3.12, C3.13, C3.15	As prescribed in AS 1851 - 2012.
Fire protection associated with construction joints, spaces and the like in and between building elements <i>required to be fire-resisting with respect to integrity and insulation</i>	C3.16	As prescribed in AS 1851 - 2012.
Smoke doors and associated <i>self-closing, automatic closing and latching mechanisms</i>	Specification C2.5, D2.6	As prescribed in AS 1851 - 2012.
Proscenium walls (including proscenium curtains)	H1.3	Annual inspection for damage, deterioration or unauthorised alteration.
<b>Table 1.2 MEANS OF EGRESS</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC provisions for determining standard of performance</b>	
Paths of travel to exits	D1.6	Inspection every 3 months to ensure there are no obstructions and no alterations.
Discharge from exits (including paths of travel from <i>open spaces</i> to the public roads to which they are connected)	D1.7, D1.9 to D1.11, D2.12, G4.3, G4.6, G4.7	Inspection every 3 months to ensure there are no obstructions and no alterations.
<i>Exits</i> (including <i>fire-isolated stairways</i> and ramps, <i>non-fire isolated stairways</i> and ramps, stair treads, balustrades and handrails associated with exits, and <i>fire-isolated passageways</i> )	D2.2, D2.3, D2.8 to D2.11, D2.13, D2.16, D2.17	Inspection every 3 months to ensure there are no obstructions and no alterations.
Smoke lobbies to fire-isolated exits	D1.7, D2.6	Annual inspection for damage, deterioration, or unauthorised alteration.
Open access ramps or balconies for fire-isolated exits	D2.19 to D2.23	Annual inspection for damage, deterioration, or unauthorised alteration.

Doors (other than fire or smoke doors) in a <i>required exit</i> , forming part of a <i>required exit</i> or in a path of travel to a <i>required exit</i> , and associated <i>self-closing</i> , <i>automatic closing</i> and latching mechanisms	D1.6, D2.19 to D2.21, D2.23	Inspection every 3 months to ensure doors are intact, operational and fitted with conforming hardware.
<b>Table I.3 SIGNS</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC provisions for determining standard of performance</b>	
<i>Exit signs</i> (including direction signs)	Specification D1.12, E4.5, E4.6, E4.8	Every 6 months to AS/NZS 2293.2:1995.
Signs warning against the use of lifts in the event of fire	E3.3	Annual Inspection to ensure the warning sign is in place and legible.
Warning signs on sliding fire doors and doors to non- <i>required stairways</i> , ramps and escalators	C3.6, Specification D1.12	Annual inspection to ensure the warning sign is in place and legible.
Signs, intercommunication systems, or alarm systems on doors of fire-isolated exits stating that re-entry to a <i>storey</i> is available	D2.22	Annual inspection to ensure the warning sign is in place and legible.
Signs alerting persons that the operation of doors must not be impaired	D2.23	Annual inspection to ensure the warning sign is in place and legible.
Signs <i>required</i> on doors, in <i>alpine areas</i> , alerting people that they open inwards	G4.3	Annual inspection to ensure the warning sign is in place and legible.
Fire order notices <i>required</i> in <i>alpine areas</i>	G4.9	Annual inspection to ensure the warning sign is in place and legible.
<b>Table I.4 LIGHTING</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC provisions for determining standard of performance</b>	
Emergency lighting	E4.2, E4.4	Every 6 months to AS/NZS 2293.2 - 1995.

Artificial lighting <i>required</i> to assist occupant movement and egress	F4.4, H1.7	Inspection every 3 months.
<b>Table 1.5 FIRE FIGHTING SERVICES AND EQUIPMENT</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC provisions for determining standard of performance</b>	
Fire hydrant system (including on-site pump set and fire-service booster connection)	E1.3	As prescribed in AS 1851 - 2012.
Fire hose reel system	E1.4	As prescribed in AS 1851 - 2012.
Sprinkler system	E1.5, G3.8, H1.2	As prescribed in AS 1851 – 2012.
Sprinkler system designed in accordance with AS 2118 as a residential or domestic system	E1.5	As prescribed in AS 1851 – 2012.
Fire control centres (or rooms)	E1.8	Annual inspection to ensure compliance of construction and contents with NCC.
Provisions for special hazards	E1.10	As prescribed in AS 1851 - 2012.
Portable fire extinguishers	E1.6	Every 6 months as prescribed in AS 1851 - 2012.
Fire blankets	-	Every 6 months as prescribed in AS 1851 – 2012.
<b>Table 1.6 AIR HANDLING SYSTEMS</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC provisions for determining standard of performance</b>	
Smoke hazard management systems: - <ul style="list-style-type: none"> <li>• Automatic air pressurisation systems for fire-isolated exits</li> <li>• Zone smoke control system</li> </ul>	E2.2	As prescribed in AS 1851 - 2012.
		As prescribed in AS 1851 - 2012.



<ul style="list-style-type: none"> <li>• <i>Automatic smoke exhaust system</i></li> <li>• <i>Automatic smoke and heat vents</i></li> <li>• <i>Air handling systems that do not form part of smoke hazard management system and which may unduly contribute to the spread of smoke</i></li> </ul>		As prescribed in AS 1851 - 2012.
		As prescribed in AS 1851 - 2012.
		As prescribed in AS 1851 - 2012.
<ul style="list-style-type: none"> <li>• <i>Miscellaneous air-handling systems covered by Sections 5 and 11 of AS/NZS 1668.1 serving more than one fire compartment</i></li> <li>• <i>Other air-handling systems</i></li> </ul>		As prescribed in AS 1851 - 2012.
		As prescribed in AS 1851 - 2012.
<i>Carpark mechanical ventilation system</i>	F4.11	As prescribed in AS 1851 - 2012.
<i>Atrium smoke control system</i>	Specification G3.8	As prescribed in AS 1851 - 2012.
<b>Table 1.7 AUTOMATIC FIRE DETECTION AND ALARM SYSTEMS</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC provisions for determining standard of performance</b>	
Smoke and heat alarm system	Clause 3 of Specification E2.2a	As prescribed in AS 1851 - 2012.
Smoke and heat detection system	Clause 4 of Specification E2.2a	As prescribed in AS 1851 - 2012.
<i>Atrium fire detection and alarm systems</i>	Clause 4 of Specification G3.8	As prescribed in AS 1851 - 2012.
<b>Table 1.8 OCCUPANT WARNING SYSTEMS</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC provisions for determining standard of performance</b>	

Sound system and intercom system for emergency purposes	E4.9 Clause 5 of Specification G3.8	As prescribed in AS 1851 - 2012.
Building occupant warning system	Clause 8 of Specification E1.5, Clause 6 of Specification E2.2a	As prescribed in AS 1851 - 2012.
<b>Table 1.9 LIFTS</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC provisions for determining standard of performance</b>	
Stretcher facilities in lifts	E3.2	Annual inspection to ensure compliance of facilities with NCC.
Emergency lifts	E3.4	Periodic inspection as per manufacturer's specification, however no less than annual inspection.
Passenger lift fire service controls	E3.7	Periodic inspection as per manufacturer's specification, however no less than annual inspection.
<b>Table 1.10 STANDBY POWER SUPPLY SYSTEMS</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC provisions for determining standard of performance</b>	
Standby power supply system	E3.4, Clause 6 of Specification G3.8	Testing every 6 months to ensure auxiliary power is operable.
<b>Table 1.11 NATURAL OR MECHANICAL VENTILATION</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC provisions for determining standard of performance</b>	
Natural or mechanical ventilation	F2.7, F4.5, F4.11, F4.12 AS 1668.2	As prescribed in the "Guidelines for the Control of Legionella in Regulated Systems" issued by the Director of Public Health under the <i>Public Health Act 1997</i> on 23 April 2012.

<b>Table 1.12 ACCESS FOR PERSONS WITH A DISABILITY</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC provisions for determining standard of performance</b>	
For access for a person with a disability.	Relevant parts of Volume One of the NCC	Inspection every 3 months to ensure no changes and continuing compliance.
<b>Table 1.13 HOT WATER, WARM WATER AND COOLING WATER SYSTEMS</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC provisions for determining standard of performance</b>	
Hot water, warm water and cooling water systems in buildings other than a system only serving a single <i>sole-occupancy unit</i> in a Class 2 or 3 building or Class 4 part	F2.7, F4.5, F4.11, F4.12 AS 1668.2	As prescribed in the "Guidelines for the Control of Legionella in Regulated Systems" issued by the Director of Public Health under the <i>Public Health Act 1997</i> on 23 April 2012.
<b>Table 1.14 ENERGY EFFICIENCY</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC provisions for determining standard of performance</b>	
For the energy efficiency of the building.	Not less than the standard when built.	Annual inspection to ensure no changes and continuing compliance.
<b>Table 1.15 WATER EFFICIENCY</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC provisions for determining standard of performance</b>	
For the water efficiency of the building.	Not less than the standard when built.	Annual inspection to ensure no changes and continuing compliance.
<b>Table 1.16 THE SAFETY OF OCCUPANTS OF PREMISES IN CASE OF BUSHFIRE, FLOOD, LANDSLIP OR COASTAL INUNDATION</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC provisions for determining standard of performance</b>	

Features or measures for the safety of occupants in a bushfire-prone area, for the safety of occupants (includes firefighting water supply and access road).	G5.2 Not less than the standard when built.	Annual inspection to ensure no changes and continuing compliance.
<b>Table 1.17 BUILDING CLEARANCE AND FIRE APPLIANCE ACCESS</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC provisions for determining standard of performance</b>	
Open space around large isolated buildings	C2.3, C2.4	Annual inspection to ensure that unobstructed access to buildings and firefighting facilities are maintained.
Vehicular access around large isolated buildings	C2.3, C2.4	Annual inspect to ensure clearances are maintained
<b>Table 1.18 BUILDING USE AND APPLICATION</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC provisions for determining standard of performance</b>	
Classification and use of building	A3.2 to A3.4	Annual inspection to ensure that building is being used and occupied in accordance with its classification.
Occupancy hazard	E1.5, E1.6, E1.10	Annual inspection to ensure that hazards do not exceed approved levels.
<b>Table 1.19 EMERGENCY EVACUATION PROCEDURES</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC provisions for determining standard of performance</b>	
Emergency control organisation and procedures	AS 3745-2002 and AS 4083-1997 for Class 9a and 9c buildings	As provided in the relevant Standards.
<b>Table 1.20 ON-SITE WASTEWATER MANAGEMENT SYSTEMS</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC (Volume Three) provisions for determining standard of performance</b>	

On-site wastewater management systems (including a non-drinking water, recycled water or greywater treatment system)	F1.2; or The Certificate of Accreditation issued by the Director of Building Control	As prescribed in the relevant Certificate of Accreditation issued by the Director of Building Control that that system; or  As prescribed in the Plumbing Permit issued by the relevant Permit Authority
<b>Table I.21 TESTABLE BACKFLOW PREVENTION DEVICES</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC (Volume Three) provisions for determining standard of performance</b>	
Testable Backflow Prevention Devices	B1.2	
<b>Table I.22 THERMOSTATIC MIXING VALVES AND TEMPERING VALVES</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC (Volume Three) provisions for determining standard of performance</b>	
Thermostatic mixing valves and tempering valves installed in early childhood centres, primary and secondary schools, hospitals and nursing homes, or similar facilities for people with disabilities, young people, elderly people or sick people	B2.2	
<b>Table I.23 ON-SITE LIQUID TRADE WASTE PRE-TREATMENT EQUIPMENT</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC (Volume Three) provisions for determining standard of performance</b>	
On-site liquid trade waste pre-treatment equipment	F2.2	
<b>Table I.24 OTHER PLUMBING INSTALLATIONS, FEATURES OR MEASURES</b>		<b>Frequency of testing or inspection specified by the</b>

<b>Feature</b>	<b>NCC (Volume Three) provisions for determining standard of performance</b>	<b>Director of Building Control:</b>
A swimming pool discharge management system		As determined by the relevant Permit Authority.
A private drinking water supply for a Class 1b building or Class 2 to 9 building	Bl.2	As determined by the relevant Permit Authority.
A pump station, whether domestic or commercial, a wet well or pump-out toilet	Cl.2	As determined by the relevant Permit Authority.
Plumbing work that involves a performance solution or alternative solution		As determined by the relevant Permit Authority.
A unique plumbing product		As determined by the relevant Permit Authority.

Note: Tables 1.20 – 1.24 apply to a plumbing installation, feature or measure, that required for its installation:

1. a plumbing permit under the *Building Act 2016*; or
2. a special plumbing permit under the former Act; or
3. is a type of High Risk plumbing work.

<b>Table 1.25 OTHER SAFETY FEATURES</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC provisions for determining standard of performance</b>	
Glazed assemblies	Bl.4, Fl.13	Annual Inspection to ensure no changes and that replacement complies with standard of performance.
Balconies	Part Bl	Annual inspection to ensure that deterioration of the balcony has not occurred.
Balustrades and barriers (including enclosure of outdoor play spaces in an <i>early childhood centre</i> )	Part Bl, D2.16, Gl.3	Annual inspection to ensure that balustrades and barriers are in place and check for damage and deterioration.
<i>Swimming pool safety fencing</i>	Gl.1	Annual inspection to ensure that barriers, safety fencing and gates are in place and check for damage and deterioration.

<b>Table 1.25 OTHER SAFETY FEATURES</b>		<b>Frequency of testing or inspection specified by the Director of Building Control:</b>
<b>Feature</b>	<b>NCC provisions for determining standard of performance</b>	
Refrigerated chambers, strong rooms and vaults	G1.2	Inspection every 3 months to ensure safety devices are in place and operable.
Bushfire protection measures	G5.2	Annual inspection to ensure continuing compliance.
Any feature or measure provided as part of a Performance Solution (building or plumbing work)	-	As determined by the relevant building surveyor or permit authority.
Any other feature or measure designated by the building surveyor or the permit authority as an essential building service	-	As determined by the relevant building surveyor or permit Authority.