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Australian Government

Department of Defence

BUILDING WORKS MANUAL

EDITION 1, AMENDMENT 4

A handwritten signature in black ink, appearing to read 'S. Grzeskowiak'.

Steve Grzeskowiak
Deputy Secretary
Estate and Infrastructure

Department of Defence
CANBERRA ACT 2600

24 August 2020

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¹ <https://www.legislation.gov.au/Series/C1968A00063>

² <https://www.legislation.gov.au/Series/C2004A04868>

³ <https://www.legislation.gov.au/Series/C2004A03712>

⁴ <http://drnet/AssociateSecretary/security/policy/Pages/dspf.aspx>

AMENDMENTS

Proposals for amendment of the Building Works Manual – Edition 1, AL4 may be sent to the Estate Engineering Policy Directorate – Building Works Section at deep.advice@defence.gov.au

Amendment number	Amendment	Amendment type	Effective date
AL1	Framework	Removal of policy framework section and rework of chapter 1 to align with current publishing requirements for Defence manuals.	01 Sep 21
AL1	Annex 1A	Updated definitions for <i>building work</i> , <i>capability managers</i> , <i>competent persons</i> , <i>special structures</i> and <i>substantial alterations</i> . New definitions added for <i>buildings of type A or B construction</i> , <i>certificate of regularisation</i> , <i>combustible cladding</i> and <i>relocated buildings</i> .	01 Sep 21
AL1	Annex 1B	Included new base manager and performance based design brief acronyms.	01 Sep 21
AL1	Annex 1C	Included reference to new combustible cladding guide and <i>certificate of regularisation</i> and <i>competent person</i> assessment templates.	01 Sep 21
AL1	Throughout	Added links to MFPE.	01 Sep 21
AL1	Chapters 2 and 3	Updated links and NCC references.	01 Sep 21
AL1	Chapter 2	Included requirement for accessibility <i>compliance</i> for <i>building works</i> .	01 Sep 21
AL1	Chapter 3	Included reference to <i>competent person</i> assessment template.	01 Sep 21
AL1	Chapter 3	Included allowance for a delegated representative to act for the <i>delivery authority</i> .	01 Sep 21
AL1	Chapter 3	Included requirements for <i>building surveyor</i> to retain documentation for 10 years.	01 Sep 21
AL1	Chapter 3	Included requirements for <i>building surveyor</i> to carry out certification functions unless discontinued for specific reasons.	01 Sep 21

Amendment number	Amendment	Amendment type	Effective date
AL1	Annex 3A	Excluded EO <i>buildings</i> from exempt <i>building</i> concessions.	01 Sep 21
AL1	Chapter 4	Corrected paragraph numbering and included requirements for new or renewal of leases to report on NCC and MFPE and in relation to combustible external walling.	01 Sep 21
AL1	Chapters 6, 7 and 8	Updated links.	01 Sep 21
AL1	Chapter 8	Clarified submission requirements for a Performance Based Design Brief (PBDB) and <i>performance solution</i> . Updated reference from International Fire Engineering Guidelines (IFEG) to new Australian Fire Engineering Guidelines (AFEG).	01 Sep 21
AL1	Chapter 10	Included new chapter on <i>certificate of regularisation</i> .	01 Sep 21
AL2	Publication pages, Acronyms and Abbreviations and forms	Updated Estate and Infrastructure Group to Security and Estate Group.	31 May 22
AL2	Contact details	Updated contact details of Building Works Section – Estate Engineering Policy Directorate.	31 May 22
AL2	Chapter 1	Added a note in paragraph 1.12 to clarify that definitions in Annex 1A are specific to this manual and may not align with Australian Defence Glossary definitions.	31 May 22
AL2	Annex 1C and chapter 9	Updated the links to the	31 May 22
AL2	Throughout	Updated links for: <ul style="list-style-type: none"> • Australian Fire Engineering Guidelines (AFEG); • Environment and Heritage Manual; • Guidelines for aircraft hangars; • Manual of Fire Protection Engineering (MFPE); and • Performance Solution Process, Australian Building Codes Board. 	31 May 22

Amendment number	Amendment	Amendment type	Effective date
AL2	Chapter 3	Included a new requirement in paragraph 3.35 regarding requirements for occupation of building undergoing <i>building work</i> . Updated paragraph numbering for remaining paragraphs in chapter 3 and where referenced in chapter 8.	31 May 22
AL2	Chapter 4	Updated paragraph 4.5 to assign responsibility to the obtaining required documentation.	31 May 22
AL3	Cover page	Included amendment number for ease of identifying the applicable revision.	5 Dec 22
AL3	Throughout	Updated references to paragraph numbers throughout the document where incorrect or new paragraphs added.	5 Dec 22
AL3	Throughout	Corrected formatting of definitions where not italicised correctly in the document.	5 Dec 22
AL3	Annex 1A	Formatted definition of <i>building work</i> . No change to requirements.	5 Dec 22
AL3	Chapter 2	Removed redundant paragraph 2.2. Remaining paragraphs renumbered.	5 Dec 22
AL3	Chapter 3 and 8	Modified the requirements of paragraphs 3.21c(12) and 8.9 to remove the requirement for DEEP to approve of weatherproofing <i>performance solutions</i> . Paragraph 8.15 has been added describing the <i>building surveyor</i> requirements for these solutions. Remaining paragraph numbers have been renumbered.	5 Dec 22
AL3	Chapter 3	Modified the name of the assessment report requirement in paragraph 3.35 to a 'Construction Zone Fire Safety Strategy'. This is to avoid confusion with the 'Fire Safety Strategy' report that is referred to in the MFPE.	5 Dec 22

Amendment number	Amendment	Amendment type	Effective date
AL4	Throughout	The BWM has been modified to reflect NCC 2022 numbering updates and removed separate requirements for lodgement of performance solutions related to weatherproofing of external walls in chapters 3 and 8.	1 May 23

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CHAPTER 1

BUILDING WORKS MANUAL FRAMEWORK

This manual

- 1.1 This chapter describes the framework of the Building Works Manual (BWM).
- 1.2 The Defence Building Works Policy specifies compliance with the BWM. The requirements of the BWM are mandatory.

General principle

- 1.3 The BWM specifies the *compliance* and *conformance* requirements for design, construction and maintenance *Defence occupied buildings* for the protection of Defence personnel and assets in support of Australian Defence objectives.

Rationale

- 1.4 The rationale of this manual is to:
- a. reinforce the requirement that *building work* on the *Defence estate* and other *Defence occupied buildings* must comply with the National Construction Code and all relevant Defence policies; and
 - b. align the administrative requirements for *building work* on the *Defence estate* to State and Territory *building* legislation and certification requirements as much as practicable.

Expected outcomes

- 1.5 *Defence occupied buildings* will be designed, constructed, altered and maintained following appropriate certification processes and comply with the requirements of the National Construction Code (NCC) and all other Defence policies applicable to *building work*.

Requirements

- 1.6 The Secretary and the Chief of the Defence Force prescribe the Defence framework for *building* certification in this manual.
- 1.7 The Secretary and the Chief of the Defence Force require Defence personnel, and contractors, consultants and outsourced service providers – where it is a term of their contract – to comply with the requirements of the following:
- a. [National Construction Code \(NCC\) including Building Code of Australia – Volumes One and Two and Plumbing Code of Australia Volume Three](#); and
 - b. Applicable Defence policies related to *building work*.

1.8 The BWM also provides the procedural framework for involving appropriately skilled practitioners and prescribed levels of oversight to meet Defence's regulatory obligations.

Key roles, functions and responsibilities

1.9 The Assistant Secretary Environment and Engineering (ASEE) is authorised to approve amendments to this manual.

1.10 The Director of Estate Engineering Policy (DEEP) is responsible for administration of this policy. This includes responsibility for ensuring the manual remains current and for monitoring the implementation of the requirements described in the manual.

1.11 The *delivery authority* is responsible for implementation of the requirements of this manual and for ensuring the *building surveyors*, designers and contractors provide evidence of *compliance* and *conformance* with the provisions therein.

Definitions and related documents

1.12 Definitions that apply to this manual are at [Annex 1A](#). These definitions are printed in *italics* throughout the document.

Note. The definitions in [Annex 1A](#) are specific to this manual and may not align with Australian Defence Glossary definitions.

1.13 A list of acronyms and abbreviations related to this manual are also provided in [Annex 1B](#).

1.14 A list of documents relating to this manual is at [Annex 1C](#).

Annexes:

- 1A [Definitions](#)
- 1B [Acronyms and abbreviations](#)
- 1C [Related documents](#)

DEFINITIONS

For the purpose of the policies described in this document, the following definitions apply.

Accreditation. A permission accepted by or given by a State or Territory to a person which allows them to lawfully provide services or carry out work in their area of expertise and includes occupational registration or licensing as required in the State or Territory where the work is being performed.

Aircraft area. Any area where aircraft may be parked inside a *building* that is not a *hangar open shelter* and any internal adjacent area not divided from that area by fire walls or open space in which fuel vapours can dissipate.

Building. Includes a structure and unless the term 'entire *building*' is used, includes a part of a *building*.

Building approval. This is the approval issued by the *building surveyor* approving proposed *building work* before construction, demolition or a *change-in-use* commences including all supporting documentation issued in accordance with the certification process detailed in [Chapter 3](#).

Building assessment. The assessment undertaken by a *building surveyor* to confirm that the proposed design and specifications comply with the requirements of the NCC or this manual.

Building of type A or B construction. Means a *building* that would be considered to be of type A or B construction applying the deemed-to-satisfy provisions in Section C of NCC Volume One regardless of whether they have been subject to *performance solutions* relating to fire safety.

Building surveyor. A person who meets the following criteria:

- a. is a qualified and experienced *building surveyor*;
- b. holds a current *accreditation* as a *building surveyor* which allows them to undertake *building* surveying services in relation to the *building work* for which they have been engaged;
- c. is a *building surveyor* that holds *accreditation* in the State or Territory where the work is being performed; and
- d. maintains at least the minimum professional indemnity insurance cover as required by Defence.

Building work. All construction, refurbishment, alteration and additions in relation to the erection or alteration of a *building*. *Building work* includes any of the following:

- a. the installation of a *demountable* and *transportable building* that is not a *relocated building*;

- b. *building*, altering, underpinning – whether by vertical or lateral support – moving a *building* or element of a *building*;
- c. excavating or filling –
 - (1) for, or incidental to, the activities mentioned in paragraph (b); or
 - (2) that may adversely affect the stability of a *building*, whether on the land on which the *building* is situated or on adjoining land;
- d. supporting, whether vertically or laterally, land for activities mentioned in paragraph (b);
- e. *plumbing work, drainage work or demolition work*;
- f. *a change-in-use*;
- g. other work to which either the National Construction Code (NCC) or Defence policy applies; or
- h. the preparation of designs and specifications associated with the above work.

Capability Manager. The *Capability Managers* for determining the Contribution Factor of a *building* for Defence are found in the Defence Capability Manual.

Note. Refer to the Guidelines for Contribution Factor Forms for further information.

Certificate of completion. Certificate issued by a *building surveyor* indicating that a *building* is *substantially complete* and occupancy of the *building* associated with the *building approval* is permissible.

Note. In relation to a *building* not on the *Defence estate*, the term *certificate of completion* is used in this BWM to refer to an occupancy certificate, certificate of occupancy, certificate of classification and the like which is required to be issued in different State and Territory jurisdictions.

Certificate of regularisation. Certificate issued by a *building surveyor* in accordance with the process in [chapter 10](#).

Note. [Chapter 10](#) applies where the *occupancy classification* in *GEMS* is not correct, when the *certificate of completion* cannot be located, or when a *transportable* or *demountable building* is proposed to be relocated.

Certification functions. The functions carried out by a *building surveyor* as required by this BWM or other relevant Defence policies including:

- a. issuing of a *building approval* or variation to a *building approval* following a *building assessment*;
- b. completing all reports and forms and documenting reasoning and submitting all documents as required by this BWM or Defence policy;

- c. assessing whether persons preparing the designs and specifications for proposed *building work* are *competent persons*;
- d. seeking approval for a *performance solution, dispensation or special structures* assessment from a Defence *policy contact*;
- e. conducting inspections during *building work*;
- f. assessing inspection reports prepared by others relating to the *building approval*; and
- g. issuing a *certificate of completion* following an assessment of all *installation certificates* and other relevant documentation which is required by the *building surveyor* to demonstrate that the *building work* complies with the *building approval*, the NCC and relevant Defence policies.

Change-in-use. A *change-in-use* means:

- a. an increase in Contribution Factor (CF) in a *building* from CF3, CF4 or CF5 to CF1 or CF2, or
- b. A change in *building occupancy classification*.

Note. A change in *building occupancy classification* occurs when:

- there is a change that results in greater than 10% of the floor area of a storey being used for a different class than its current use – eg new storage (class 7b) areas in an office (class 5) storey being greater than 10% of that storey.
- there is a new laboratory (class 8) in a *building* of another classification.
- there is a new residential sole-occupancy unit (class 2, 3 or 4) in a *building* of another classification.
- there is a change to a sub-classification – eg class 9b to 9a.

Combustible cladding. Means cladding used on external walls or on ancillary elements attached to external walls that is not non-combustible within the meaning of the NCC and includes but is not limited to aluminium composite panels and expanded polystyrene wall systems.

Competent person. A person assessed by the *building surveyor* in accordance with this policy as competent to prepare an aspect of the *building* design and specification – including a person preparing a *performance solution* report – because of the individual's *accreditation*, skill, experience and/or qualifications.

Compliance. Meeting the requirements of the National Construction Code, relevant standards and legislation.

Conformance. Meeting the requirements set out in relevant Defence policy and related documents.

Defence compliance and conformance requirements. In relation to:

- a. *building works*, are the requirements set out in [Chapter 2](#);
- b. *Defence occupied buildings* not on the *Defence estate*, are the requirements set out in [Chapter 4](#);
- c. *special structures*, are those requirements set out in [Chapter 7](#); and
- d. *Performance solutions and dispensations* set out in [Chapter 8](#).

Defence estate. Commonwealth owned land managed by the Department of Defence.

Defence occupied buildings. Means *buildings* on the *Defence estate* or leased by Defence that are intended for occupation by Defence personnel, except in [Chapter 4](#) which applies only to *Defence occupied buildings* not on the *Defence estate*.

Delivery authority. The applicable Defence Directorate responsible for a *building* project or *building work*.

Demolition authorisation. Is as required by the Defence Financial Management Manual (FINMAN), being the policy on the demolition or disposal of Defence assets. Schedule 15, Financial Delegations Manual – Delegation to approve the disposal of relevant property lists the positions within Defence that have the authority to approve the demolition or disposal of Defence assets that relate to property, including facilities and infrastructure, and the relevant cost thresholds.

Demolition work. All work in relation to the demolition of a *building*.

Demountable buildings. *Buildings*, which are constructed in sections in a factory and the components, are transported to a site where they are reassembled. *Demountable buildings* are usually installed on stumps.

Deployable hangar. A deployable structure for the protection of aircraft and personnel from the weather.

Design certificate. The certificate required under Defence contracts to be issued by any *competent person* engaged to prepare designs or specifications which are required to support the decision to issue a *building approval*, undertake *building work* or issue a *certificate of completion*.

Dispensation. A variation to Defence policy requirements.

Drainage work. Any sanitary drainage, liquid trade waste drainage or stormwater drainage system.

Exempt building work. *Building work* identified as exempt at [Annex 3A](#).

Garrison and Estate Management System (GEMS). A single, integrated system to manage the *Defence estate* and service delivery and support the *Defence Estate Life Cycle*. *GEMS* provides a single source of information for all estate management activities.

Hangar. An *aircraft area* and any *hangar annex*.

Hangar annex. Any part of a *hangar* that is attached to, but not part of an *aircraft area* - eg including but not limited to areas for servicing or repair facilities, building services, plant, fuel storage and working accommodation.

Hangar open shelter. A covered area that is used solely for parking of aircraft. The shelter must have no internal walls and not less than two opposing unenclosed walls.

Installation certificate. The certificate required under Defence contracts or this policy to be issued by any person engaged to undertake any part of the *building work* or to certify the any completed part of *building work* to which the certificate applies has been installed in accordance with the *building approval* and any applicable codes, standards or other requirements.

Objective. The primary recordkeeping system for Defence.

Occupancy classification. A *building occupancy classification* is the class given to a *building* based on its proposed or actual use as defined in part A6 of the NCC.

Performance solution. As defined in A2G2 of the National Construction Code – Building Code of Australia Volume One.

Plumbing work. Includes any water plumbing, roof plumbing, sanitary plumbing system or heating, ventilation and air-conditioning plumbing.

Policy contact. The nominated contact of the directorate responsible for the policy as listed on the Estate Engineering Policy page on ERIK.

Relocated building. A *transportable* or *demountable building* that has been previously installed in a location on the *Defence estate* and has been moved to another location on the *Defence estate*, whether on the same site or another site.

Special structure. A *building* where Defence has determined that full compliance with the NCC would be inappropriate due to the need for operational training realism. Where this occurs the concessions in [Chapter 7](#) are permitted. The same concessions may be applied to a tent, membrane structure or *deployable hangar*.

Special structures do not include:

- a. *buildings* used for general training;
- b. *buildings* used for outdoor training such as obstacle courses; or
- c. a *building* that is exempt under [Annex 3A](#).

Substantial alteration. An alteration or addition of a *building* is a *substantial alteration* if the proposed alteration together with any other alterations completed or permitted within the previous three years:

- a. increases the floor area of the *building* by more than 50% of the original total floor area – as defined in the NCC – of the *building*; or
- b. there has been or is a proposed *change-in-use* of an NCC *occupancy classification* applying to more than 50% of the original *building*.

A *substantial alteration* is not a *change-in-use* resulting in an increase in Contribution Factor (CF) in a *building* from CF3, CF4 or CF5 to CF1 or CF2.

Substantially complete. *Building work* is *substantially complete* when the following are installed, constructed, completed or provided for as required by the NCC, this policy or the *building approval*:

- a. all fire safety measures;
- b. provision of access and egress;
- c. wet areas and waterproofing;
- d. sanitary installations;
- e. all aspects that relate to health and safety;
- f. reticulated water is connected;
- g. electricity supply is connected to the *building* and fitted off; and
- h. all elements of any additional aspects for consultation and approval by Defence have been addressed as required by Defence.

Transportable buildings. A small single storey *building* manufactured in a factory and transported to a site in one piece. *Transportable buildings* can be skid mounted or installed on stumps and are generally used to provide temporary accommodation of some kind.

Unfuelled aircraft. An aircraft whose fuel system has had flammable or combustible liquid removed such that no tank, cell, or piping contains more than 0.5 percent of its volumetric capacity.

ACRONYMS AND ABBREVIATIONS

AFEG	Australian Fire Engineering Guidelines
AS	Australian Standard
ASEE	Assistant Secretary Environment and Engineering
BM	Base Manager
CF	Contribution Factor
DEQMS	Defence Estate Quality Management System
DTS	Deemed-to-Satisfy
ECC	Environmental Clearance Certificate
eDSM	electronic Defence Security Manual
eDEOP101	electronic Defence Explosive Ordnance Publication
EEGIS	Estate Engineering Governance and Integrity System
EHM	Environment and Heritage Manual
EPBC	Environment Protection and Biodiversity Conservation Act 1999
GEMS	Garrison and Estate Management System
MFPE	Manual of Fire Protection Engineering
NCC	National Construction Code including Building Code of Australia – Volumes One and Two and Plumbing Code of Australia Volume Three
NER	National Engineers Register
NZS	New Zealand Standard
PBDB	Performance Based Design Brief
PPP	Public Private Partnership
SEG	Security and Estate Group
SES-Band 1	Senior Executive Service – Band 1

RELATED DOCUMENTS

1. Contamination Management Manual
2. Estate Governance and Integrity System (EGIS) referenced documents
3. electronic Defence Security Manual (eDSM)
4. Environment and Heritage Manual (EHM)
5. Environment Protection and Biodiversity Conservation Act 1999 (EPBC)
6. electronic Defence Explosive Ordnance Publication 101 (eDEOP 101)
7. Manual of Fire Protection Engineering (MFPE)
8. Pollution Prevention Management Manual (PPMM)
9. AS/NZS 1170.2 – Structural design actions – Part 2: Wind actions
10. [Performance Solution Process, Australian Building Codes Board](#)
11. [Australian Fire Engineering Guidelines \(AFEG\) – Edition 2021, Australian Building Codes Board, Australia](#)
12. [National Construction Code including Building Code of Australia – Volumes One and Two and Plumbing Code of Australia Volume Three](#)
13. The following factsheet and guidelines related to the BWM are located at the Building Works Section page of the Estate Resources Information Kiosk (ERIK) website:
 - a. Fact Sheet – Building Access Requirements
 - b. Guidelines for aircraft hangars
 - c. Guidelines for building contribution factor forms
 - d. Guidelines for certification, performance solutions and dispensations
 - e. Guidelines for external wall combustible cladding

14. The following templates related to the BWM are located at the Building Works Section page of the DEQMS website:
- a. Building approval
 - b. Building Contribution Factor assessment form
 - c. Certificate of completion
 - d. Certificate of regularisation
 - e. Competent person assessment
 - f. Design certificate
 - g. Fire safety measures
 - h. Hangar assessment form
 - i. Installation certificate
 - j. Request for performance solution
 - k. Request for dispensation
 - l. Request for performance solution and dispensation

The Manual of Fire Protection Engineering Design Inclusions document located at the Fire Safety Engineering page of the ERIK website.

CHAPTER 2

BUILDING WORKS – DEFENCE ESTATE

Scope

2.1 This chapter aligns the administrative management for *building work* on the *Defence estate* to State and Territory *building* legislative processes.

Aim

2.2 The aim of this chapter is to detail *Defence compliance and conformance requirements* for *building work* on the *Defence estate*.

References

2.3 Reference is necessary to the following documents:

- a. [NCC including Building Code of Australia – Volumes One and Two, and Plumbing Code of Australia Volume Three](#);
- b. documents adopted by reference in the NCC;
- c. Defence Policies and referenced standards and codes;
- d. Contamination Management Manual;
- e. [Australian Fire Engineering Guidelines \(AFEG\) – Edition 2021, Australian Building Codes Board, Australia](#);
- f. [Performance Solution Process](#), Australian Building Codes Board; and
- g. Guidelines for certification, performance solutions and dispensations.

Defence policy

2.4 The Defence Estate Quality Management System (DEQMS) contains policies that may specify additional requirements for *building work*.

2.5 The specific requirements of any applicable DEQMS policy are met by demonstrating *conformance* with the prescriptive requirements of that policy. Release from the requirements of any policy is only permitted if a *dispensation* is granted. *Dispensation* formats vary according to the nature of the policy requirements. A dedicated template and *policy contact* can be found on the relevant ERIK DEEP policy web page. Any request for *dispensation* must be submitted to the relevant *policy contact* for assessment.

National Construction Code compliance

2.6 The NCC shall be adopted as the minimum standard for *building work* for *Defence estate buildings*. The NCC that is applicable for any *building work* on the *Defence estate* is the version that is adopted by the Australian Government at the time of *building approval*. State and Territory appendices of the NCC for *building work* on the *Defence estate* in that State or Territory shall be applied for Defence *buildings* with the exception of the appendices related to Section J of NCC Volume One and Section H.6 of NCC Volume Two. The requirements of Section J of NCC Volume One and Section H6 of NCC Volume Two are applicable in all States and Territories.

2.7 Where a NCC referenced document, standard or code is referenced in a Defence Policy, the year version of the standard or code in the NCC at the time of *building approval* is applicable.

2.8 Unless otherwise specified in this policy, standards or codes referred to by the Defence Policy shall be the current version at the time of *building approval*.

2.9 The requirements of the NCC Volume One are met by demonstrating *compliance* with the governing requirements of Section A and the performance requirements Sections B to G and I to J of the NCC. In relation to performance requirements, compliance is achieved by either developing a *performance solution*, a deemed-to-satisfy (DTS) solution and/or a combination of performance solutions and DTS solutions. The use of a *performance solution* is addressed in the process detailed in [Chapter 8](#).

Conflicts between policy and legislation

2.10 *Building surveyors*, project managers, designers, engineers and builders are to note that the foregoing are the minimum *compliance* and *conformance* requirements. Where there is a perceived conflict between this policy and the NCC or other legislation, the matter shall be referred to the Building Works Section *policy contact*. The referral must be accompanied by a proposal to address the conflict for formal agreement. Refer to [Chapter 8](#) for further information related to the *dispensation* process.

Special structures

2.11 Where the nature of specialist military facilities prevents the reasonable application of NCC performance requirements, a *special structure* classification may be applied. Refer to [Chapter 7](#) for further requirements for *special structures*.

Pedestrian access

2.12 For the purpose of *compliance* with the DTS provisions of D4D3(1) of the NCC the term, 'main points of a pedestrian entry at the allotment boundary' means the closest accessible walkway for pedestrian access to the *building* from the nearest public road or open space on the Defence site. For the purpose of the application of these requirements, the road infrastructure on a Defence site may be considered as a public road.

Building work and substantial alterations

2.13 All *building work* shall comply with the requirements of this policy.

2.14 Where *building work* constitutes a *substantial alteration* then the entire *building* shall be brought into full *compliance* and *conformance* with this policy and the NCC.

2.15 Where *building work* does not constitute a *substantial alteration*, then the following applies:

- a. the new *building work* – and any other area required by the Disability (Access to Premises – Buildings) Standards 2010 (Premises Standards) – shall comply with this policy and the NCC;
- b. the new *building works* shall not reduce the safety within the remainder of the *building* or adjacent *buildings*; and
- c. the existing or adjacent *buildings* shall not adversely impact safety of the new *building work*.

Note. Further guidance on disability access is provided in the Fact Sheet – Access requirements available on the Building Works Section page of ERIK.

Demolition

2.16 Demolition of a *building* must have a *demolition authorisation* and be the subject of a *building approval* and the *demolition work* must comply with AS 2601 having regard to the requirements for demolition sites in the Contamination Management Manual.

Existing buildings – no construction works

2.17 Existing *buildings* that are not the subject of any *building work* must comply with the requirements of any *certificate(s) of completion* for the *building*.

2.18 The intention is not to apply the BWM design requirements to existing *buildings* unless they are the subject of *building work*.

CHAPTER 3

BUILDING CERTIFICATION

Scope

3.1 This chapter sets out requirements for the certification of *building work* on the *Defence estate*.

Aim

3.2 The aim of this chapter is to ensure that *buildings* are constructed in accordance with *Defence compliance and conformance requirements* in [Chapter 2](#) and to detail the formal approval processes required for *building work* to receive *building approval* and *certificate of completion*.

References

3.3 Reference is necessary to the following documents:

- a. [NCC including Building Code of Australia – Volumes One and Two, and Plumbing Code of Australia Volume Three](#);
- b. documents adopted by reference in the NCC;
- c. Defence Policies and referenced standards and codes;
- d. [Australian Fire Engineering Guidelines \(AFEG\) – Edition 2021, Australian Building Codes Board, Australia](#);
- e. [Performance Solution Process](#), Australian Building Codes Board;
- f. Guidelines for certification, performance solutions and dispensations; and
- g. Manual of Fire Protection Engineering Design Inclusions.

Compliance and conformance requirements

3.4 All *building work* must be certified in accordance with this chapter.

Requirements of building surveyor

3.5 *Certification functions* required for *building work* on the *Defence estate* shall be carried out by a *building surveyor*.

Competent person assessments

3.6 The *building surveyor* must assess whether each person engaged to prepare *building* design or specification documentation is a *competent person* to prepare those documents in their relevant area of expertise.

Note. A completed example of a 'Competent Person Assessment' is contained within the 'Guidelines for certification, performance solutions and dispensations' located at the Building Works Section page of the DEQMS website. Templates are also provided at this website.

3.7 In determining whether each person engaged to prepare *building* design or specification documentation is a *competent person*, the *building surveyor* must be satisfied of the following matters:

- a. where *accreditation* is required in the relevant area of practice by the State or Territory where the work is to be undertaken, the person being assessed must hold current *accreditation*; or
- b. where *accreditation* is not required in the relevant practice area by the State or Territory where the work is to be undertaken the person being assessed must hold appropriate qualifications and skills as determined by the *building surveyor* having regard to Defence policy; and
- c. in addition to a. or b. above, that the person being assessed has skills and experience that are appropriate having regard to the nature of the *building work* and *buildings* that the person will be providing services for.

3.8 The *building surveyor* shall:

- a. confirm in the *building approval* that the assessment of each *competent person* has been undertaken;
- b. keep records and/or document how they determined that each person that provides *building* design or specification for the *building work* is a *competent person*. This documentation must be retained for a minimum period of 10 years from the issue date of the *certificate of completion*; and
- c. provide such records or documents to the *policy contact* on request.

Note. Confirmation that the *building surveyor* has assessed the person as competent must be appended to all design and installation certification.

Building assessment

3.9 Prior to issuing a *building approval* or any variation to a *building approval* the *building surveyor* must undertake a *building assessment*.

3.10 Each *building assessment* undertaken by a *building surveyor* must be documented in the form of a report which shows a status of the proposed designs and specifications with:

- a. the relevant requirements of the NCC;
- b. any requirements that apply because of the contribution factor for the *building*;

- c. any requirement that applies under this policy if the *building* is or will be a *special structure*.

3.11 The *building surveyor* shall provide a copy of their assessment report to the *policy contact* on request. This *assessment report* must be retained for a minimum period of 10 years from the issue date of the *certificate of completion*.

Conflict of interest and conduct of building surveyors

3.12 A *building surveyor* cannot carry out *certification functions* if the *building surveyor* or a related person has an actual, potential or perceived conflict of interest. A *building surveyor* has an actual, potential or perceived conflict of interest in carrying out *certification functions* if the *building surveyor*:

- a. carries out the *building work* that is the subject of the *building approval* process;
- b. has participated in the preparation of the design for all or part of the *building work* that is the subject of the *building approval*;
- c. has any pecuniary interest in a company or entity that is engaged in relation to *building work* that is the subject of the *building approval*;
- d. has a direct or indirect pecuniary interest in the *building work*;
- e. is engaged by the builder or designer to perform a function other than:
 - (1) a certification function for the project; or
 - (2) give regulatory advice about any matter;
- f. arranges any third party approvals – eg plumbing or electrical – to achieve *compliance with building approval or certificate of completion* requirements.

3.13 For the purposes of paragraph 3.12, ‘related person’ means:

- a. if the *building surveyor* is a member of a partnership, another partner in the partnership;
- b. if the *building surveyor* is a body corporate, a director of the body corporate or any related body corporate of the body corporate;
- c. an employer of the *building surveyor*;
- d. and employee or contractor of the *building surveyor*;
- e. the spouse or domestic partner or sibling, parent or child of the *building surveyor*; or
- f. any person with whom the *building surveyor* has a contractual arrangement that might reasonably be seen to give rise to a conflict between the *building surveyor* when exercising the *certification functions* and their interests under the arrangement.

3.14 *Building surveyors* are required to comply with any code of conduct that applies to their *accreditation* when carrying out *certification functions* under this BWM.

3.15 Nothing in this chapter prevents a *building surveyor* from being a sub-contractor to a builder engaged by Defence.

3.16 Where there is an actual, potential or perceived conflict between this document and any applicable code of conduct, a *building surveyor* should apply to the relevant *policy contact* for a determination on how the conflict should be resolved.

Building work

3.17 All *building work* must be the subject of a *building approval* and a *certificate of completion* unless the work is exempt under [Annex 3A](#) – *Exempt building work*. All *exempt building work* must be completed in accordance with the applicable design standards and codes and the builder or installer shall provide certificates or evidence of *compliance* and *conformance* as appropriate.

3.18 A *building approval* and *certificate of completion* can only be issued by a *building surveyor* appointed for the specific *building work*. Any *building surveyor* engaged for *building work* must be engaged to carry out all *certification functions* in relation to that *building work*. Where the *building surveyor* cannot continue to act for one of the reasons set out below, then a replacement *building surveyor* can be sought. The reasons for discontinuing the use of a *building surveyor* may include:

- a. sickness or death;
- b. change of employer or company;
- c. conflict of interest;
- d. no longer in business;
- e. *accreditation* reduced, suspended or cancelled; or
- f. inadequate insurance.

Building approval

3.19 A *building approval* is required for *building work* that is not exempt in [Annex 3A](#).

3.20 A separate *building approval* is required for each individual *building* or *building part*.

- 3.21 A *building approval* is issued by the *building surveyor* at the time when:
- a. the *building surveyor* has received from *competent persons* and determined to be acceptable, all design and specification documentation and *design certificates* and is satisfied that the *building work* is capable of complying with the BWM and the NCC if constructed in accordance with the *building approval* and its referenced documents;
 - b. the *building assessment* report has been completed by the *building surveyor* having regard to the Manual of Fire Protection Engineering Design Inclusions;
 - c. documentation used as supporting evidence for a *building approval* has been received. This evidence shall include but not be limited to:
 - (1) project requirements;
 - (2) *building* Contribution Factor form – if applicable;
 - (3) *hangar* assessment form – if applicable;
 - (4) written agreement from the *policy contact* for the *building assessment* plan applicable to the use of a *special structure* classification;
 - (5) evidence of consultation with relevant referral agencies or as required under Defence policy, including but not limited to:
 - (a) responding fire service
 - (b) plumbing and drainage
 - (c) electrical and gas
 - (6) architectural design documentation and *design certificates*;
 - (7) structural design documentation and *design certificates*;
 - (8) services design documentation and *design certificates*;
 - (9) civil design documentation and *design certificates*;
 - (10) specialist practitioners *design certificates* as appropriate – eg bushfire, access, energy and the like;
 - (11) *plumbing work* and *drainage work* design documentation and *design certificates* as appropriate – eg disposal of non-domestic waste, an increase in the water demand or sewer load, discharge stormwater to sewer and the like;
 - (12) *performance solutions* are supported by the *policy contact* – refer to paragraphs 8.9 and 8.12;

- (13) *dispensations* have been approved at Senior Executive Service (SES) – Band 1 or equivalent level;
- (14) *demolition authorisation* – if applicable;
- (15) environmental requirements – if applicable; and
- (16) unless already set out above, the minimum inclusions required for the stage that the design is at the time the *building approval* is issued having regard to the Manual of Fire Protection Engineering Design Inclusions.

3.22 A *building approval* must:

- a. identify the *building* location and property details including the *GEMS* identification;
- b. identify the Contribution Factor for the *building*;
- c. identify the aircraft information provided on the Hangar Assessment Form for an aircraft *hangar* – if applicable;
- d. identify the NCC and policy versions applicable to the *building approval*;
- e. identify whether a *special structure* classification is being applied;
- f. include any conditions or *building assessment* provisions applicable to the *building approval*;
- g. include any restriction applying to the use of the *building*;
- h. if the *building* uses a *performance solution*, list the solution and the performance requirements of the NCC applicable including any required measures applying to the use of the *building*;
- i. if the *building* has a *dispensation*, outline the policy non-compliance or non-conformance including any required measures applying to the use of the *building*;
- j. list the referenced documents applicable to the *building approval* including the name of the person that prepared the document and the document identifier such as version number and date;
- k. include a preliminary schedule identifying all applicable fire safety measures including the applicable standard of performance – ie. NCC provisions, specific policy requirements as well as relevant standards – including all relevant year versions.
- l. identify the required inspections by the *building surveyor* and any relevant *competent person* – including a final inspection – required to be undertaken;
- m. state that the *building approval* expires 3 years from the date of the approval if the *building work* has not commenced; and

- n. identify the *building surveyor* including *accreditation* number and level and relevant State or Territory *accreditation* details and be signed and dated by that person.

3.23 The *building surveyor* shall provide the *building approval* and supporting evidence to the *delivery authority* or their delegated representative. The documents shall be stamped as approved or otherwise endorsed by the *building surveyor*. The *building surveyor* shall retain one set of the approved documents and provide an electronic copy – or as otherwise specified – to the *delivery authority* or their delegated representative. This documentation must be retained for a minimum period of 10 years from the issue date of the *certificate of completion*.

3.24 The *delivery authority* or their delegated representative is to ensure that a minimum of one set of approved documents is maintained on site for the period of *building work*. In addition, the *delivery authority* shall save the *building approval* and supporting evidence in *Objective* prior to handover. This requirement does not limit further distribution of the approved documents as necessary for project completion.

3.25 Other than *exempt building work*, no *building work* shall commence until a *building approval* has been issued by the *building surveyor*.

Note. Completed examples of a *building approval* and a fire safety measures schedule is contained within the Guidelines for certification, performance solutions and dispensations located at the Building Works Section page of the ERIK website. Templates are also provided at this website.

Required inspections

3.26 The *building surveyor* shall determine the required inspections of *building work* including for *demolition work* and shall list the required inspections in the *building approval*.

3.27 The required inspections of *building work* must include, but are not limited to the following measures required by the *building approval*:

- a. any stage or element required under the relevant State or Territory *building approval* legislation;
- b. any inspections requested by any person other than the *building surveyor* who will be expected to certify that any part of the *building work* complies with the *building approval* including persons that prepared a *performance solution* report or *dispensation* report;
- c. structural stages/milestones;
- d. fire/smoke separation construction;
- e. sound rated construction;
- f. witness testing of fire safety systems;
- g. witness testing of emergency evacuation lighting systems;

- h. any other stages/inspections nominated within the *building approval*; and final inspection.

3.28 The person in charge of the *building work* must arrange for an inspection at the time the relevant part of the work to be inspected is completed and ensure that that part of the work is able to be independently inspected for *compliance* and *conformance*.

3.29 An *installation certificate* must be prepared following all inspections required in the *building approval*. The *installation certificate* must be in the approved form. A template is provided at the Building Works Section page of DEQMS. *Installation certificates* are to be provided to the *policy contact* on request.

3.30 Required inspections must be carried out by the *building surveyor* or a *competent person*. The final inspection must be carried out by the *building surveyor*.

3.31 Where a required inspection is undertaken, and the *building work* the subject of the inspection is identified as not complying with the *building approval* the following process must be followed:

- a. the person inspecting the work must issue a written direction to the person in charge of the *building work* setting out the areas of non-*compliance* or non-*conformance* and either:
 - (1) setting out the work or actions required to bring the *building work* into *compliance* and *conformance* (required work); or
 - (2) the documents required to support a variation to the *building approval* so that the *building work* will comply with the varied *building approval* (required documentation).
- b. the written direction must state:
 - (1) that once any required work is carried out, a follow up inspection must be called for (reinspection); and
 - (2) a specified time within which the required work must be carried out or the required documentation must be provided, which time shall not be less than 60 days.
- c. Where a reinspection is required, the reinspection must be attended by the *building surveyor* or a *competent person*;
- d. If:
 - (1) a reinspection is required, and the required work has not been completed to the satisfaction of the *competent person* or the *building surveyor*; or
 - (2) documents required to support a variation to the *building approval* are not approved by the *building surveyor* or, where a *performance solution* or *dispensation* is proposed, by Defence.

the *building surveyor* must notify the *delivery authority* or their delegated representative and/or provide the *delivery authority* or their delegated representative with a proposal for how the work will be brought into *compliance* or *conformance*.

Notes:

- Where any work or action is required as part of the above process, the *building surveyor* must continue to comply with the conflict of interest requirements of paragraph 3.12b.
- Refer to paragraph 8.25 for requirements for *performance solution* or *dispensation* identified during construction.

Variation to a building approval

3.32 Where there is a proposed variation to the *building work* which would make the *building work* inconsistent with the *building approval*, a variation to the *building approval* shall be made. In this instance the NCC version applicable in the original approval shall be adopted.

3.33 Any variation to the *building approval* shall be supported by the processes for *building approval* in this chapter including clearly marked documentation showing the variation.

3.34 If the proposed variation involves a *performance solution* or *dispensation*, the processes required in [Chapter 8](#) for the approval of *performance solutions* and *dispensations* shall be followed.

Occupation during building works

3.35 Where building work is being undertaken in an existing building, that building should not be occupied by any person that is not involved in the carrying out of building work unless there has been an assessment of whether occupation is safe and suitable. The assessment may be completed by the building surveyor or another competent person – eg a structural engineer and / or a fire safety engineer. The assessment shall be in the form of a ‘Construction Zone Fire Safety Strategy’ and shall include but not be limited to consideration of the following elements:

- a. Structural integrity;
- b. Fire / smoke barriers;
- c. Access from occupied areas to exits;
- d. Access from occupied areas to services and equipment – eg. hydrants, hose reels and portable fire extinguishers;
- e. Isolation of fire safety systems such as sprinklers, smoke detection or smoke hazard management systems (staged or permanent) within the area of *building work* or in the occupied areas; and

- f. Access to amenities.
- g. A strategy to deal with issues identified in the assessment of items [a.](#) to [f.](#)

Notes.

- Issues such as compromised structural integrity or fire / smoke barriers, blocked exits, access to services or isolation of fire safety systems will need a strategy developed and measures agreed and implemented to ensure that the building remains safe for continued occupation.
- Support to continue or commence occupation based on the strategy developed shall be sought from the project stakeholders and the authority responsible for the personnel that occupy the building – ie. Base Manager (BM).
- Assistance in the development of an 'Interim Fire Safety Strategy' is available from the Fire Safety Engineering policy contact in the Estate Engineering Policy Directorate – Building Works Section at deep.advice@defence.gov.au

Certificate of completion

3.36 A *certificate of completion* may only be issued for *building work* that has received a *building approval*.

3.37 A separate *certificate of completion* is required for each individual *building*.

3.38 A certificate of completion can be issued by the *building surveyor* when:

- a. the required inspections have been undertaken and the *building surveyor* is satisfied that the *building work* is *substantially complete*;
- b. supporting evidence of installation/construction *compliance* and *conformance* from designers, installers and builder – including *installation certificates* required by the *building approval* – has been received and determined to be acceptable by the *building surveyor*;
- c. verification from the person responsible for the *performance solution* or *dispensation* report that any requirements are installed and implemented has been received and determined to be acceptable by the *building surveyor*; and
- d. reasonable evidence is provided that any requirement or condition included within the *building approval* has been complied with, or that requirement or condition has ceased to apply.

3.39 A *certificate of completion* must:

- a. identify the *building* location and property details including the *GEMS* identification;
- b. reference the applicable *building approval* and any variations to the *building approval*;
- c. include description of *building work* being;
 - (1) NCC *occupancy classification(s)*;

- (2) type of construction;
 - (3) large-isolated *building* status;
 - (4) floor area;
 - (5) rise in storeys;
 - (6) effective height;
 - (7) contribution factor; and
 - (8) identify the aircraft information provided on the Hangar Assessment Form for an aircraft *hangar* – if applicable.
- d. include any restriction applying to the use of the *building*;
 - e. environmental requirements – if applicable;
 - f. if the *building* uses a *performance solution*, list the solution and the performance requirements applicable including any required measures applying to the use of the *building*;
 - g. if the *building* has a *dispensation*, outline the policy non-compliance or non-conformance including any required measures applying to the use of the *building*;
 - h. identify the *building surveyor* including *accreditation* number and level and relevant State or Territory *accreditation* details and be signed and dated by the *building surveyor*; and
 - i. include a schedule identifying all applicable fire safety measures which must identify the applicable standard of performance – ie NCC provisions, specific policy requirements as well as relevant standards – including all relevant year versions.

Note. Completed examples of a *certificate of completion* and a fire safety measures schedule is contained within the Guidelines for certification, performance solutions and dispensations located at the Building Works Section page of the DEQMS website. Templates are also provided at this website.

3.40 The *building surveyor* shall provide an electronic copy of the *certificate of completion* and supporting evidence – or as otherwise specified – to the *delivery authority* or their delegated representative for retention on the project file. The *delivery authority* or their delegated representative is to ensure that the staged, interim or final *certificate of completion* and supporting evidence – referred to in paragraphs 3.38 and 3.39– is saved in *Objective* at the time of handover.

3.41 The *building* shall not be occupied or used until a *certificate of completion* has been issued which applies to the part of the *building* to be occupied or to the entire *building*.

3.42 The *building* shall not be occupied or used in a manner that is not consistent with the *certificate of completion*.

3.43 A copy of the *certificate of completion* – and any subsequent *certificate of completion* amendments as a result of new *building work* shall be provided and conspicuously displayed as near as practicable to the *building's* main entry.

Staged or interim certificate of completion

3.44 Where permitted under relevant State or Territory legislation, a staged or interim *certificate of completion* shall comply with the requirements of paragraphs 3.38 and 3.39 and may be issued where a *building* is to be completed and occupied in stages. The part of the *building* occupied must comply with the applicable *building approval* requirements and have a staged or interim *certificate of completion*. The safety of occupants of that part must not be compromised by the future works or vice versa.

3.45 The staged or interim *certificate of completion* will expire on the earliest occurrence of any of the following events:

- a. written cancellation by the *building surveyor*;
- b. issue of the final *certificate of completion*; or
- c. the date nominated on the staged or interim *certificate of completion*.

3.46 If a staged or interim *certificate of completion* expires, occupation of the *building* or part is no longer permitted unless the process in paragraph 3.44 is repeated.

3.47 Where staged or interim certificates of completion are not permitted under relevant State or Territory legislation, a separate *building approval* must have been issued for each stage of the work for which a *certificate of completion* is to be issued.

Annex:

3A [Exempt building work](#)

EXEMPT BUILDING WORK

1. The *building work* listed in this annex is exempt unless otherwise required by the applicable State or Territory.

Note. Whilst *exempt building work* is not required to comply with this manual, all work must still be completed in accordance with the applicable design standards and codes.

Attaching sunscreens or sunhoods

2. Attaching a sunscreen or sunhood to an existing *building* is exempt if the sunscreen or sun hood's area is less than 2m².

Particular work for class 10 buildings or structures

3. An exemption applies to the following *building work*:

a. an above-ground rainwater tank providing:

- (1) non-potable water supply; and
- (2) less than 3m in height.

Particular class 10a buildings

4. *Buildings* having a floor area not exceeding 10m² – except those that are defined as CF1 or CF2, are EO storage and / or are sited in a “cyclonic zone/area” – are exempt. Cyclonic areas are those determined as being located in wind regions C and D in accordance with Australian/New Zealand Standard (AS/NZS) 1170.2.

Particular class 10b structures or special structures

5. *Building work* for a class 10b structure or *special structure* is exempted if:

a. the structure is

- (1) sporting or playground equipment; or
- (2) physical training equipment; or
- (3) minor plant and equipment covers; and

b. the structure is no higher than 3m above its natural ground surface.

Particular repairs, maintenance or alterations not affecting structural component or fire safety system

6. *Building work* that consists of repairs, maintenance or alterations to an existing *building*, is exempt if they are not a *substantial alteration* and they do not:
- a. change the *building's* floor area or height;
 - b. alter egress paths or evacuation processes;
 - c. change the *building* classification under the NCC;
 - d. affect fire safety provisions required under the NCC;
 - e. affect structural components; and
 - f. affect fire safety systems – required by a Defence policy – of the *building*.

Examples

- An internal refurbishment changing office fixed equipment; or
- An installation/alteration of an air-conditioning system that doesn't affect any fire safety system.

Particular repairs, maintenance or alterations only affecting a minor component of a fire safety system

7. *Building work* that consists of repairs, maintenance or alterations to an existing *building* are exempt if they:
- a. comply with the provisions above, excluding paragraphs d and f; and
 - b. only affect a minor component of the *building's* fire safety system.

Notes

- A minor component means an element of the fire safety system that is required for the system and is not an addition.
- Any changes to the location of fire safety system components must be documented and form part of baseline data for ongoing maintenance requirements.
- Examples of a minor component of a fire safety system includes, but not limited to, changes to a single sprinkler head or a smoke detector or single elements of other required safety systems listed on the *buildings* fire safety measures schedule.

Tents, membrane structures, or deployable hangars

8. Tents, membrane structures, or *deployable hangars* are exempt if:
- the floor area is less than 100m² (no time limit applies);
 - erected and removed within 2 months (no area limit applies); or
 - they are only used for an Australian Defence Force Operational Activity.

Work for particular non-loadbearing devices

9. This exemption applies to *building work* for any of the following devices if they are non-loadbearing and outside restricted areas including but limited to hazardous object zones required for aircraft:

- an aerial;
- an antenna;
- a satellite dish with a maximum diameter of 900mm; and
- a flagpole, mast or tower.

The exemption to these devices only applies if the device is:

- (1) attached to a *building* and is no more than 3.5m above the highest point of fixing *building*; or
- (2) detached from any *building* and is no more than 10m above the device's finished ground surface.

Work for particular retaining walls

10. *Building work* for a retaining wall is exempt if:
- there is no surcharge loading over the zone of influence for the wall; and
 - the total height of the wall and of the fill or cut retained by the wall is no more than 1m above the wall's finished ground surface; and
 - the wall is no closer than 1.5m to a *building*, swimming pool fence or another retaining wall.
11. A surcharge loading means a load applied to a soil stratum that has, or may have, the effect of consolidating the stratum, other than a load arising only from:
- persons or vehicles on, or moving over, the stratum; or
 - the effects of rain on the stratum.
12. A zone of influence, for the retaining wall, means the volume of soil stratum behind the wall that affects the wall's structural integrity.

Work for particular signs

13. *Building work* is exempt if it consists of the erection of a sign that is detached from a *building* and is:

- a. no higher than 2m; and
- b. no wider than 1.2m.

Work for particular temporary structures on building sites

14. *Building work* is exempt if it is for:

- a. a temporary site office or amenities provided for the duration of *building work* on or serving a *building* site;
- b. a *transportable building* that has a maximum floor area not exceeding 100m² for a maximum period of 6 months;
- c. a gantry; or
- d. scaffolding.

Work for particular fences

15. Construction of a fence is exempt if the fence is not for a swimming pool.

CHAPTER 4

NON-DEFENCE ESTATE BUILDINGS

Scope

4.1 This chapter sets out the requirements for *Defence occupied buildings* that are not on the *Defence estate*. These include requirements for:

- a. pre-lease inspection and reporting;
- b. *building work* for Defence; and
- c. maintenance requirements.

Aim

4.2 The aim of this chapter is to detail *Defence compliance and conformance requirements* for *Defence occupied buildings* not on the *Defence estate*.

References

4.3 Reference is necessary to the following documents:

- a. [NCC including Building Code of Australia – Volumes One and Two, and Plumbing Code of Australia Volume Three](#);
- b. documents adopted by reference in the NCC;
- c. Defence Policies and referenced standards and codes;
- d. [Australian Fire Engineering Guidelines \(AFEG\) – Edition 2021, Australian Building Codes Board, Australia](#); and
- e. [Performance Solution Process](#), Australian Building Codes Board.

Building contribution factor

4.4 *Buildings* that contain strategic Defence assets are categorised in accordance with their contribution to capability. These *buildings* shall have the same requirements as *Defence owned buildings*. To determine the strategic impact use, the process in [Chapter 5](#) shall be used.

Pre-lease inspection and reporting

4.5 All new *leases* – and leases subject to renewal negotiation – shall be assessed against the requirements of the current BWM and the construction code that applied at the time of *building approval and compliance and conformance* shall be confirmed prior to entering into the new lease or lease renewal.

4.6 A *certificate of completion* – and any *performance solutions* – shall be obtained by the Property Management Branch – or their delegated representative – to ensure that the *building* has been certified as fit for use.

4.7 A full NCC audit which includes a MFPE fire safety survey report is to be undertaken to confirm suitability prior to entering into the lease or lease renewal. The audit is to:

- a. be undertaken by a *building surveyor*;
- b. have regard to the *certificate of completion* and any *performance solutions*; and
- c. identify any *combustible cladding* on a *building of type A or type B construction*.

4.8 If the *Building Contribution Factor Form* at [Annex 5A](#) is not available prior to the lease, the *Capability Manager* is required to provide an indication of the Contribution Factor for the *building* as input into the NCC/MFPE audit.

4.9 Where *combustible cladding* is identified in a *building of type A or type B construction*, the following requirements must also be met:

- a. replace all *combustible cladding* as necessary to achieve *compliance* with the DTS provisions of the NCC; or
- b. where retention of any *combustible cladding* is proposed, then comply with the processes identified in 'Guidelines for external wall combustible cladding' located at the Building Works Section page of the DEQMS website.

Note. Evidence that the remediation works will or have been completed and certified in *compliance* with State or Territory *building* legislation must be submitted to Defence for review.

4.10 The Assistant Secretary Property Management Branch and / or Assistant Secretary Regional Services as appropriate are responsible for ensuring that the above process has been completed and the documents saved in *Objective* once the lease is commenced.

New building work

4.11 All *building work* relating to *Defence occupied buildings* shall comply with relevant State and Territory – or other authority – *building* legislative processes.

4.12 Where *building work* is proposed within a *Defence occupied building*, Defence must be a stakeholder in the *building approval* process for any proposed *performance solutions* or *dispensations* to Defence policy requirements set out in [Chapter 8](#).

No building work

4.13 *Defence occupied buildings* that are not the subject of any *building work* must continue to comply with any *certificate(s) of completion* for the *building*.

4.14 The intention is not to apply the BWM design requirements to existing *buildings* unless they are the subject of *building work*.

Maintenance

4.15 *Defence occupied buildings* must be maintained in accordance with the requirements of any *certificate(s) of completion* for the *building*. Evidence that this maintenance is or will be undertaken must be provided to Defence at least annually.

4.16 Where fire safety measures are installed as a result of NCC or the *Defence compliance and conformance requirements* in this chapter then those services must be maintained in accordance with the requirements of the Manual of Fire Protection Engineering and with any *certificate(s) of completion* for the *building*.

CHAPTER 5

BUILDING CONTRIBUTION FACTOR

Scope

5.1 The Contribution Factor (CF) of a *building* may result in additional Defence asset protection requirements to those specified in the NCC. This chapter identifies the process undertaken to establish the CF for all *Defence occupied buildings* or parts.

5.2 This process is only required for new *buildings*, new leases or where the *building work* changes the CF of an existing *building*.

Aim

5.3 The aim of this chapter is to ensure that the CF for a *Defence occupied building* is determined and recorded in accordance with this chapter.

References

5.4 Reference is necessary to the following documents:

- a. Estate Appraisal section on the Estate Planning and Upkeep page of DEQMS.
- b. Guidelines for building contribution factor forms.

Contribution factor form process

5.5 During the early design phase of a project the proposed *building* must be categorised in accordance with its contribution to capability. This process is completed in consultation with the applicable *Capability Manager*. The outcome of the assessment is expressed as a CF. CF definitions can be found in the Estate Appraisal section on the Guidelines for Contribution Factor Forms. In summary, under this process the entire *building* is categorised as follows:

- a. Contribution Factor 1 (CF1). These are major assets providing a very high level contribution towards operational capability.
- b. Contribution Factor 2 (CF2). These are important assets providing a direct and high level contribution towards operational capability.
- c. Contribution Factor 3 (CF3). These are support assets performing a capability support function.
- d. Contribution Factor 4 (CF4). These are general purpose assets performing day-to-day base functions supporting operational capability.
- e. Contribution Factor 5 (CF5). These are low importance assets.

5.6 The CF is to be recorded on the form at [Annex 5A](#) for new *buildings*, new leases or where the *building work* changes the CF of an existing *building*.

Note. In existing *buildings* that are the subject of new *building work* that does not change the CF, the existing CF in *GEMS* may be used.

5.7 To complete the form, a single CF is assigned to an entire *building* according to the majority use. The assessment also requires identification of any level or space that has a CF1 or CF2.

5.8 *Buildings* identified as having a CF1 or CF2 have additional asset protection requirements.

5.9 The *Building Contribution Factor Form* is used to document the outcome of the assessment process and the completed form is to be recorded in *GEMS*.

5.10 Where there is a *change-in-use* which results in an increase from CF3, CF4 or CF5 to CF1 or CF2 – without a change to the *building's NCC occupancy classification*, then the entire *building* or affected part is to be upgraded to comply with applicable Defence policies – eg MFPE. The *substantial alteration* requirements are not applicable for this type of *change-in-use*.

Note. A template is provided at the Building Works Section page of DEQMS.

Responsibilities

5.11 The *delivery authority* is responsible for ensuring the *Building Contribution Factor Form* has been completed for all new *building work* during design phase or as part of a new lease and that the details are recorded in *GEMS*.

Annex:

5A Building contribution factor form

BUILDING CONTRIBUTION FACTOR FORM

SEG Region	
Establishment	
Building Name	
GEMS ID	

Step 1 – entire building

Nature of use/function (for the entire building)	
Contribution Factor (CF)	(CF1–5)

Step 2 – level/space

	Level/ Space	Level/ Space	Level/ Space	Level/ Space
Nature of use/function (for the room/area function as appropriate)				
Contribution Factor (CF) Refer to notes (a) and (b)	(CF1–5)			

Step 3 – capability manager comments

Step 4

	Capability Manager
Name	
Position/title	
Signature	
Date	

Notes:

- (a) Full definitions for Contribution Factor (CF) can be found in the Estate Appraisal section on the Estate Planning and Upkeep page in DEQMS. They are also duplicated in the Guidelines for Building Contribution Factor Form.
- (b) Step 1 is to record the CF for the entire building. This is generally in accordance with its major usage.
- (c) Step 2 is to identify any level or space (room or area) that has a CF1 or CF2 where this is different to the CF entire building's determination.
- (d) Buildings or parts of buildings that are CF1 or CF2 have additional asset protection requirements specified in the MFPE.
- (e) CFs are part of the building data recorded in the Garrison and Estate Management System (GEMS).
- (f) This process is only applicable to building works, substantial alteration and change-in-use or new leased buildings.
- (g) The assessment process for a hangar aircraft area is detailed in [Chapter 6](#) and is to be used in combination with this form.

CHAPTER 6

AIRCRAFT HANGARS

Scope

6.1 The requirements for *hangars* are dependent on their contribution to capability. The protection requirements are increased in line with the level of importance according to the CF, the number of aircraft, whether the aircraft are fuelled and whether it is a *deployable hangar*.

Note. A *hangar open shelter* is not subject the requirements of this chapter with the exception of *compliance* with the NCC as applicable.

6.2 This process is required for *building work* or new leases in *hangars*.

6.3 The information recorded on the Hangar Assessment Form may result in additional Defence policy requirements applying.

Aim

6.4 The aim of this chapter is to clarify that the process undertaken to complete the Hangar Assessment Form at [Annex 6A](#).

References

6.5 Reference is necessary to the following documents:

- a. [National Construction Code including Building Code of Australia – Volume One](#);
- b. documents adopted by reference in the NCC;
- c. Defence Policies and referenced standards and codes; and
- d. Guidelines for aircraft hangars.

Hangar assessment form process

6.6 Defence *hangars* have additional requirements to the NCC depending on their CF, the number of aircraft in the same fire compartment and whether the *building* contains fuelled or *unfuelled aircraft*.

6.7 The information recorded on the Hangar Assessment Form at [Annex 6A](#) may result in additional Defence policy requirements – eg MFPE.

6.8 The *delivery authority* is responsible for ensuring this process is completed for all new *building* projects, refurbishments, alterations and leased *buildings*. The forms must be part of the design documentation for the *hangar* and should be finalised at the design briefing stage. The *delivery authority* is also responsible for ensuring the forms are completed and the details are recorded in *GEMS* prior to *building* handover.

Note. A template is provided at the Building Works Section page of DEQMS.

6.9 The assessment process described above is also required for existing *hangars* where the *hangar* is to be used for aircraft with an increased level of the operational capability that results in a *building change-in-use*. It is also required or where the assessment has not previously been done. Where this occurs, the Assistant Secretary Regional Services is to ensure that the Contribution Factor Form and Hangar Assessment Form is completed.

Annex:

6A Hangar assessment form

HANGAR ASSESSMENT FORM

SEG Region:	
Establishment:	
Building Name:	
GEMS ID:	

Specify maximum number of aircraft to be housed in the <i>hangar</i>	Specify number
Will the aircraft be fuelled?	YES / NO
Is the building a <i>deployable hangar</i>	YES / NO

Capability Manager comments

Capability manager

Name:	
Position/title:	
Signature:	
Date:	

Note. The Building Contribution Factor Form at [Annex 5A](#) shall be completed.

CHAPTER 7

SPECIAL STRUCTURES

Scope

7.1 Where the nature of specialist military facilities prevents the reasonable application of NCC performance requirements, a *special structure* classification may be applied. This chapter sets out the *Defence compliance and conformance requirements* for *special structures* on the *Defence estate*.

Aim

7.2 The aim of this chapter is to ensure that *buildings* that have a *special structure* classification meet minimum design requirements.

References

7.3 Reference is necessary to the following documents:

- a. [NCC including Building Code of Australia – Volumes One and Two, and Plumbing Code of Australia Volume Three](#);
- b. Defence Policies and referenced standards and codes; and
- c. Guidelines for certification, performance solutions and dispensations.

General

7.4 All Defence *buildings* can be given an *occupancy classification* under Part A6 of the NCC. However, constructing according to the NCC performance requirements can lead to provisions that are not appropriate for specialist military facilities. For this reason a Defence *special structure* classification has been developed.

7.5 Where a *special structure* classification applies, a *building surveyor* must prepare a proposed *building assessment* report outlining the provisions of the NCC applicable to the *building work*. The proposed *building assessment* report must be agreed by the *policy contact* of the Building Work Section prior to a *building approval* being issued.

7.6 When applying the *special structure* classification, the *building surveyor* must undertake a *building assessment* having due regard to all the circumstances associated with the intended use and to ensure that the provisions of the NCC relating to the following matters will be complied with so that the *special structure*:

- a. will be structurally sound and capable of withstanding the loadings likely to arise from its use; and
- b. will reasonably provide for the safety of persons in the *special structure*, including but not limited to:
 - (1) means of egress;

- (2) occupant warning (if relevant);
- (3) the prevention and suppression of fire; and
- (4) the prevention of the spread of fire.

7.7 The *building surveyor* may require further information to assess *compliance* and *conformance* with requirements of paragraphs 7.6a and 7.6b. If required, the further information is to be provided by a *competent person* that is a structural engineer or a fire safety engineer respectively. For additional requirements that are non-structural or not related to fire safety provisions, the *building surveyor* may require further information from a relevant *competent person*.

CHAPTER 8

PERFORMANCE SOLUTIONS AND DISPENSATIONS

Scope

8.1 This chapter sets out requirements for the approval of *performance solutions* and *dispensations* in all *Defence occupied buildings*. These requirements apply to *building work* and to leased *buildings*.

8.2 The requirements of this chapter are in addition to the relevant State / Territory requirements for certification of *buildings*.

Aim

8.3 The aim of this chapter is to ensure that *buildings* are designed and constructed in accordance with all *Defence compliance and conformance requirements* set out in this manual and to detail the formal approval processes required for:

- a. *performance solutions* to meet the performance requirements of the NCC; and
- b. *dispensation* from the Defence policy requirements.

References

8.4 Reference is necessary to the following documents:

- a. [NCC including Building Code of Australia – Volumes One and Two, and Plumbing Code of Australia Volume Three](#);
- b. Defence Policies and referenced standards and codes;
- c. [Australian Fire Engineering Guidelines \(AFEG\) – Edition 2021, Australian Building Codes Board, Australia](#);
- d. [Performance Solution Process](#), Australian Building Codes Board; and
- e. Guidelines for certification, performance solutions and dispensations.

General

8.5 The requirements of the NCC are met by demonstrating *compliance* with the governing requirements of Section A and the performance requirements of Sections B to G and I to J of the NCC. In relation to performance requirements, compliance is achieved by either developing a performance solution, a deemed-to-satisfy (DTS) solution and/or a combination of performance solutions and DTS solutions. Any departure to the DTS provisions of the NCC must be addressed by a *performance solution*. Refer to paragraphs 8.8 to 8.16 for specific requirements related to this process.

8.6 Defence may have specific policy requirements that are in addition to the NCC. The requirements of the Defence policy are met by demonstrating *conformance* with the provisions of the applicable requirements. Any non-*conformance* with the Defence policy requirements must be addressed via a *dispensation*. Paragraphs 8.17 to 8.24 detail the specific requirements related to this process.

Qualifications of persons preparing / reviewing performance solutions, dispensations or other supporting information

8.7 A *performance solution* or supporting information for a *dispensation* must have been prepared by a *competent person*. This information must be independently assessed by the *building surveyor* to confirm the proposed *performance solution* or *dispensation* meets the relevant requirements prior to the application being lodged with DEEP.

Note. Further guidance on *competent persons* is provided within the Guidelines for certification, performance solutions and dispensations.

Performance solutions

8.8 Where a departure from the DTS provisions of the NCC is proposed, a *performance solution* is required to demonstrate *compliance* with the relevant performance requirements. The *performance solution* shall detail the methodology applied to meet the performance requirements – eg A2G2 of the NCC.

8.9 The *delivery authority* or their delegated representative shall forward a formal request for agreement of any other *performance solution* to the *policy contact* for Director of Estate Engineering Policy (DEEP) support using the approved template 'Request for performance solution' provided in the Building Works Section page of ERIK. A copy of supported requests will be returned to the *delivery authority*. In the event a request is not supported, formal advice outlining the reasoning will be provided to the *delivery authority*.

Note. Where *performance solutions* and *dispensations* are proposed in the same *building*, a combined 'Request for performance solution and dispensation' form may be used where permitted by the policy owner.

8.10 The formal request for agreement shall be submitted in a manner and a rate which will give the relevant delegate a reasonable opportunity to review the request.

8.11 In the assessment of any single building, separate reports are required for fire and non-fire-related issues but shall be included in one 'Request for performance solution'.

8.12 A performance-based design brief (PBDB) is to be undertaken for all proposed *performance solutions* in accordance with the requirements of A2G2(4) of the NCC. The development of:

- a. fire-related *performance solutions* shall also be in accordance with the [AFEG](#). The PBDB is to follow the recommendations in the [AFEG](#). The Defence Fire Safety Engineering section shall be a stakeholder on the PBDB team for all Defence projects involving fire-safety related *performance solutions*;
- b. non-fire-related *performance solutions* are to be in accordance with the PBDB process in the NCC and paragraph 8.13. The relevant *policy contact* shall be a stakeholder in the PBDB process.

8.13 The Australian Building Codes Board (ABCB) has produced a document titled [Performance Solution Process](#) which outlines a process to assist practitioners with the development and approval of *performance solutions*. The processes nominated in this document are to be adopted for the development of all non-fire-related *performance solutions*.

8.14 All *performance solutions* need to be completed and submitted with a 'Request for Performance Solution'. Reports supporting a 'Request for performance solution' are to include the site and *GEMS* identification number(s) and name(s) on the front cover. Requests for Defence consideration of *performance solutions* must be *building* specific.

8.15 The *delivery authority* or their delegated representative shall ensure that supported requests are saved in *Objective* prior to the *building* being handed over to the relevant Security and Estate Group (SEG) region.

8.16 The relevant *policy contact* shall ensure that supported requests are saved in DEQMS.

Dispensations

8.17 Where a non-conformance to the Defence specific policy requirements is sought, a *dispensation* is required.

8.18 The *delivery authority* or their delegated representative shall forward a formal request for *dispensation* to the relevant *policy contact* for ASEE approval. Requests for Defence approval of *dispensations* must use the approved template 'Request for dispensation' provided in the relevant *policy contact* page of DEQMS. A copy of any approved requests will be returned to the *delivery authority*. In the event of non-agreement, formal advice outlining the reasoning will be provided from the delegated representative to the *delivery authority*.

Note. Where *performance solutions* and *dispensations* are proposed in the same *building*, a combined 'Request for performance solution and dispensation' form may be used where permitted by the policy owner.

8.19 The development of *dispensations* requires consultation with relevant stakeholders at the start of the *dispensation* development process. The *policy contact* shall form part of the consultation process.

8.20 The level of supporting information required for a *dispensation* shall be agreed as part of the consultation process referred to in paragraph 8.19. As a minimum the request must clearly identify:

- a. the *delivery authority*;
- b. the area of non-*conformance* (with specific reference to the appropriate section of the Defence policy document);
- c. the reason for non-*conformance*;
- d. the risk mitigation strategy including any compensating factors or alternatives proposed;
- e. cost implications, where relevant, by comparison with the initial and whole of life costs of the Defence policy provisions with those of the proposed design solutions; and
- f. copies of any technical opinions or reports sought shall be enclosed.

8.21 When required by the *policy contact*, the manager of the operational capability is to acknowledge a reduced level of asset protection and accept the increased capability risk in writing. When this is required, the *policy contact* will seek acknowledgement and acceptance from the manager – minimum SES-Band 1 or equivalent – of the operational capability prior to ASEE approval.

8.22 Information supporting a 'Request for Dispensation' are to include the site and *GEMS* identification number(s) and name(s) on the front cover. The request for *dispensation* must be *building* specific.

8.23 The *delivery authority* or their delegated representatives shall ensure that approved requests are saved in *Objective* prior to responsibility for the *building* being handed over to the relevant E&IG region.

8.24 The relevant *policy contact* shall ensure that approved requests are saved in DEQMS.

Performance solutions and dispensations identified during construction

8.25 Should a departure from the DTS provisions of the NCC or a non-*conformance* with Defence policy be identified during the construction stage, revalidation of design *compliance* and *conformance* is required by the *building surveyor*. Where a *performance solution* or *dispensation* is sought, an application must be lodged and approved following the process within this chapter and paragraphs 3.32 to 3.34. In this instance the NCC version applicable in the original approval shall be adopted.

Performance solution and dispensation signage

8.26 Where an approval has been based on a *performance solution* and/or *dispensation*, there shall be no changes in *building* use, elements of *building structure*, *building services*, or *building* fire safety systems without prior consultation with an accredited *building surveyor*.

8.27 Permanent signage shall be provided and displayed with the *certificate of completion* as required by paragraph 3.43. Signage must be a permanent, fade resistant and weatherproof— ie must be screw fixed or other and not laminated paper.

8.28 The wording on the signage is to be adapted to suit the circumstance for the *building* – eg if no *dispensation* is relevant, remove references to *dispensation* from the sign. Typically, signage shall be as detailed below.

NOTICE

This building has been certified on the basis of complying performance solution(s)/dispensation(s), current building use, and design fuel loads and limitations.

Any changes in building use, elements of building structure, or building services can affect building compliance or conformance and may require recertification by an accredited/licenced building surveyor.

- Notice—Times New Roman 15 mm high capitals.
- Remaining lettering: Times New Roman 10 mm high.
- All lettering must be in a colour contrasting with the background.

CHAPTER 9

ENVIRONMENTAL ASPECTS

Scope

9.1 This chapter provides an overview of environmental requirements related to *Defence occupied buildings* subject to *building work*. Common Defence activities which may require environmental assessment and approval include base redevelopment projects and new infrastructure projects.

Aim

9.2 The aim of this chapter is to provide links to Defence environmental policies that are applicable to *building work*.

References

- 9.3 Reference is necessary to the following:
- a. Contamination Management Manual;
 - b. Environment and Heritage Manual;
 - c. Environmental Assessment and Approval Program;
 - d. Environmental Management – Contamination₁;
 - e. Environmental Management – Energy Policy₁;
 - f. Environmental Management – Smart Infrastructure₁;
 - g. Environmental Policy; and
 - h. Environmental Strategy 2016–2036₁.

Environmental assessment and approval program

9.4 The Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act) is the Australian Government's central piece of environmental legislation. The EPBC Act regulates actions that have a significant environmental impact on Commonwealth land, or that are carried out by a Commonwealth agency.

9.5 To achieve *compliance* with the EPBC Act, Defence maintains an environmental assessment and approval program to identify, understand and manage the environmental impacts of all Defence activities with the potential to cause environmental harm.

9.6 The requirement for *conformance* with the Defence environmental assessment and approval program is to be determined. Where *conformance* is needed, the requirements contained in the Environmental Assessment and Approval Program page of DEQMS shall be met.

Environmental clearance certificate

9.7 Where an action has a potential for an adverse environmental impact to occur, such as intrusive earth works, an Environmental Clearance Certificate (ECC) will be required. Where an ECC is needed, the template certificate in the Environmental Assessment and Approval Program page of DEQMS shall be used.

Note. Guidance on ECCs is included in the Environmental Clearance Certificate Procedure.

Contamination

9.8 Where the *building work* takes place on a contaminated site, additional requirements for the management of contamination must be met. These requirements are contained in the Environmental Management – Contamination page of DEQMS.

Defence Environment and Heritage Manual

9.9 The Defence Environment and Heritage Manual provides instruction and policy on Defence legislative obligations in line with the Defence Environmental Policy and Defence [Environmental Strategy 2016-2036](#). These requirements must be met.

SMART Infrastructure Handbook: planning, design and construction

9.10 *Conformance* with the Defence Smart Infrastructure policy is required. These requirements are contained in the Environmental Management – Smart Infrastructure page of DEQMS.

Energy policy

9.11 *Conformance* with Defence energy policy is required. These requirements are contained in the Environmental Management – Energy Policy page of DEQMS.

CHAPTER 10

CERTIFICATE OF REGULARISATION

Scope

- 10.1 This chapter provides a process to follow where:
- a. a *building* has incorrect *occupancy classification(s)* assigned on *GEMS* for the use(s) of the *building*;
 - b. a *certificate of completion* cannot be located; or
 - c. a *transportable* or *demountable building* is proposed to be relocated.

Note. This chapter does not apply when there is an existing *certificate of completion* that specifies the correct *occupancy classification(s)* for the current use but there is a proposed *change-in-use* to an existing *building*. Where this occurs the certification requirements under [Chapter 3](#) apply and a *certificate of completion* is to be issued.

Aim

10.2 The aim of this chapter is to provide a process to correct records for *buildings* on the *Defence estate* where they have the incorrect *occupancy classification* recorded and to ensure that *buildings* without a *certificate of completion* – or *relocated buildings* – are certified as fit for purpose.

References

- 10.3 Reference is necessary to the following documents:
- a. [NCC including Building Code of Australia – Volumes One and Two, and Plumbing Code of Australia Volume Three](#), and
 - b. Manual of Fire Protection Engineering (MFPE).

Background

10.4 All *buildings* on the *Defence estate* are assigned an *occupancy classification* which is listed on the *certificate of completion* for the *building* (if there is one) and also assigned in *GEMS*. If there is a *certificate of completion* for a *building* it will be located in the relevant *building* folder in *Objective*.

- 10.5 Many older *buildings* on the *Defence estate*:
- a. do not have a *certificate of completion* which shows the approved *occupancy classification(s)*; and/or
 - b. may have an *occupancy classification* assigned in *GEMS* that is not consistent with the actual use of the *building*.

10.6 Where this occurs, a process for correcting the *occupancy classification* in *GEMS* and/or issuing a *certificate for regularisation* is set out in this chapter.

10.7 In addition, where a *transportable or demountable building* has been installed on the *Defence estate* and it is proposed to be relocated, it is efficient and desirable, having regard to the nature of the structure and likely risks, to provide a simplified process for certifying that the *relocated building* is fit for purpose. The process in this chapter also applies to *relocated buildings*.

Certificate of regularisation process

10.8 A *certificate of regularisation* can only be issued by a *building surveyor* for *buildings* on the *Defence estate* where the *certificate of completion* cannot be located, the *occupancy classification* in *GEMS* is incorrect or a *relocated building* is proposed.

10.9 The *building surveyor* must obtain relevant information required to assess and recommend a *certificate of regularisation*. The *certificate of regularisation* must as a minimum confirm that the *building*:

- a. is structurally sound and capable of withstanding the loadings likely to arise from its use;
- b. will reasonably provide for the safety of persons, including but not limited to:
 - (1) means of egress;
 - (2) occupant warning (if relevant);
 - (3) the prevention and suppression of fire; and
 - (4) the prevention of the spread of fire.

10.10 Any outstanding items to confirm *compliance* with paragraphs 10.9a and 10.9b – and any recommendations from the most recent MFPE fire safety survey report – shall be addressed prior to the *certificate of regularisation* being issued.

10.11 The *building surveyor* may require further information to assess *compliance* and *conformance* with the requirements of paragraph 10.9. If required, the further information is to be provided by a structural engineer or a fire safety engineer that has been determined by the *building surveyor* to be a *competent person*. For additional requirements that are non-structural or not related to fire safety provisions, the *building surveyor* may require further information from a *competent person* holding relevant skills and experience as applicable.

10.12 Where the *certificate of regularisation* is proposed in relation to correcting the *occupancy classification* in *GEMS*, the *building surveyor* should liaise with the users of the *building* and the Base Manager (BM) regarding the historical use of the *building*.

10.13 Where *building work* is required in order to meet the criteria to issue a *certificate of regularisation* set out in this chapter, the requirements in [chapter 3](#) apply to that *building work*. After the *building work* is completed a *certificate of regularisation* may be issued for any parts of the *building* to which a *certificate of completion* did not apply.

10.14 The *certificate of regularisation* must:

- a. identify the *building* location and property details including the *GEMS* identification;
- b. NCC *occupancy classification(s)*;
- c. type of construction;
- d. large-isolated *building* status;
- e. floor area;
- f. rise in storeys;
- g. effective height;
- h. contribution factor;
- i. identify the aircraft information provided on the Hangar Assessment Form for an aircraft *hangar* – if applicable.
- j. include any restriction applying to the use of the *building*;
- k. if the *building* uses a *performance solution*, list the solution and the performance requirements applicable including any required measures applying to the use of the *building*;
- l. if the *building* has a *dispensation*, outline the policy *non-compliance* or *non-conformance* including any required measures applying to the use of the *building*;
- m. identify the *building surveyor* including accreditation number and level and relevant State or Territory *accreditation* details and be signed and dated by the *building surveyor*; and
- n. include a schedule identifying all applicable fire safety measures which must identify the applicable standard of performance – ie NCC provisions, specific policy requirements as well as relevant standards – including all relevant year versions.

Note. Completed examples of a *certificate of regularisation* and a fire safety measures schedule are contained within the Guidelines for certification, performance solutions and dispensations located at the Building Works Section page of the DEQMS website. Templates are also provided at this website.

Responsibilities

10.15 The *building surveyor* shall provide an electronic copy of the *certificate of regularisation* and supporting evidence to the *delivery authority* or their delegated representative. The *delivery authority* or their delegated representative is to ensure that the *certificate of regularisation* and supporting evidence – referred to in paragraph 10.14 – is saved in *Objective* and that any updated *occupancy classifications* have been recorded in *GEMS*. This documentation must be retained for a minimum period of 10 years after the *certificate of regularisation* is issued.