

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1987, No. 49*

Regulations under the *Building Act*

I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Building Act*.

Dated 23 December 1987.

E.E. JOHNSTON
Administrator

AMENDMENTS OF THE NORTHERN TERRITORY BUILDING CODE

1. PRINCIPAL REGULATIONS

The Northern Territory Building Code is in these Regulations referred to as the Principal Regulations.

2. INSTITUTION OF PROCEEDINGS

The Principal Regulations are amended by inserting in Part 2 the following:

"2.1 For the purposes of section 52 of the Act, the prescribed form of the notice of consent of the Building Controller to the commencement of proceedings under the Act is Form 3 in Schedule 1 to these Regulations."

* Notified in the *Northern Territory Government Gazette* on 13 January 1988.

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3. NEW REGULATION

The Principal Regulations are amended by inserting after Regulation 9.2 the following:

"9.2.1 STRUCTURAL DESIGN CHECKING SERVICE

"The fee for the provision of a service under regulation 30.3(2A) is \$50 plus an amount equal to the fee for the building approval in respect of the building."

4. VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALLS

Regulation 22.3 of the Principal Regulations is amended by omitting subregulation (2)(a)(i).

5. DESIGN OF BUILDINGS

Regulation 30.1 of the Principal Regulations is amended -

- (a) by omitting from paragraph (b) "Part 2, so that" and substituting "Part 2, so that, in relation to a building either on such of the mainland of the Territory as lies within 50 km of the coastline, or on an island adjacent to the mainland of the Territory -";
- (b) by omitting paragraph (b)(ii); and
- (c) by omitting Table 30.1 and the note to that table.

6. CERTIFICATION OF DESIGN

Regulation 30.3 of the Principal Regulations is amended -

- (a) by omitting from subregulation (1) "a certificate shall be submitted to the Building Controller, by a practising structural engineer," and substituting "the applicant for building approval shall submit to the Building Controller a certificate, signed by a practising structural engineer."; and
- (b) by omitting subregulation (2) and substituting the following:
 - "(2) Where a proposed building is a Class I or X building, the Building Controller -
 - (a) shall, in the case of a Class I building having a floor area exceeding 110 m²; and
 - (b) may, in any other case,

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require the applicant for building approval to submit a certificate signed by a practising structural engineer, certifying that, if constructed in accordance with the plans and specifications to which the certificate relates, the building will be structurally sound and comply with the requirements of this Code applicable to it.

"(2A) The Building Controller may, at the request of a person applying for building approval of a Class I building the floor area of which does not exceed 110 m², provide a structural design checking service to that person to ensure that structural plans that are not the subject of a structural engineer's certificate comply with the requirements of this Code applicable to the building."

7. NEW REGULATION

The Principal Regulations are amended by inserting after Regulation 30.3 the following:

"30.4 CERTIFICATION OF CONSTRUCTION

"The Building Controller may require a person who has obtained building approval to submit a certificate signed by a practising structural engineer certifying that a building is structurally sound and complies with the requirements of this Code applicable to it."

8. SUB-FLOOR VENTILATION

Regulation 50.9(1)(a) of the Principal Regulations is amended by omitting ".0021²/m" and substituting ".0021m²/m".

9. NOTICE OF CONSENT

The Principal Regulations are amended by inserting after Form 2 in Schedule 1 the following:

"FORM 3

NORTHERN TERRITORY OF AUSTRALIA

Building Act

Section 52

Northern Territory Building Code

Regulation 2.1

CONSENT TO INSTITUTION OF PROCEEDINGS

I,, Deputy Building Controller (being authorized to exercise the powers and perform the functions of the Building Controller under

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section 52 of the *Building Act*, by virtue of an instrument
dated, consent to the commencement of
(date of instrument)

proceedings against
(name of defendant)

of
(address of defendant)

under of the *Building Act*.
(relevant provisions)

Dated...../...../.....

.....
Deputy Building Controller"
