



Accessible Housing: Drafting of proposed NCC changes

Explanatory statement

2020

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Version history

This Explanatory Statement has been updated to align with the January 2020 version of the Proposed NCC Changes document. It supersedes the Explanatory Statement that was provided for the October 2019 version of the Proposed NCC Changes document.

1. Dwelling access

New Parts

Volume One – Part G7

Part G7 will operate as a series of ancillary *Deemed-to-Satisfy (DtS) Provisions* that will meet certain existing *Performance Requirements* of **Section D** (Access and Egress), when applied to *sole-occupancy units* in Class 2 buildings.

This approach reduces the need to alter the existing **Part D3**, which is replicated in the *Disability (Access to Premises—Buildings) Standards 2010* (Cwlth.) (*Premises Standards*). Separation between the existing **Part D3** and the proposed requirements for Class 2 *sole-occupancy units* also maintains the delineation in the NCC between issues covered by the *Disability Discrimination Act 1992* (Cwlth.), such access to public places, and those that fall outside the scope of that Act, such as access to private dwellings.

The insertion of **Part G7** will not have any effect on the current application of the *Premises Standards* to Class 2 buildings for the purposes of the Act. Two new rows will be added to **Table D3.1** to address access to allocated parking spaces, however these rows will not need to be replicated in the *Premises Standards*. This is because the *Premises Standards* do not require *accessible* carparking spaces to be provided for Class 2 buildings.

Volume Two – Part 3.9.3

Part 3.9.3 will operate in the same way as other acceptable construction practices (ACP) contained within Section 3 of NCC Volume Two. It has been inserted as a new ACP simply because its content was not able to be logically fitted in to any of the existing ACPs.

The new ACP has been added into **Part 3.9** because it covers access to dwellings, which is relevant to the provision of safe movement and access as provided for by **Part 3.9**.

Limited effect of exemptions from Parts G7 / 3.9.3

It is important to note that even in circumstances where a dwelling is exempted from compliance with some or all of **Part G7** or **Part 3.9.3**, this does not mean that other dwelling accessibility provisions are also exempted. That is, even if a step-free entry cannot be provided, all other applicable provisions would still need to be complied with.

This approach is taken in recognition of the idea that occupants who do not need a dwelling with a step-free entrance may still derive some benefit from the other features described in the proposed drafting. This enables the provisions to be applied as widely as reasonably possible, while also allowing for the particular practical difficulties that may be associated with the step-free path requirements.

Variation Option: single step access path

A variation option has been included to consider the possibility of allowing one single step in an required access path, as an alternative to requiring a step-free path. The reason for this to enable current

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construction practices to continue for weather protection and termite management while also minimising the number of steps required to access a dwelling.

Whilst adoption of this variation option would mean that the access path is not step-free, it will still achieve an outcome whereby there is only one step to be climbed rather than several. It is considered that limiting the amount of steps in an access path to only one may still benefit many people who have reduced mobility but who are not wheelchair users. For wheelchair users, the single step could be bridged with a small, retrofitted ramp if necessary.

It should also be noted that adoption of the variation option would not mandate the inclusion of a single step in an access path; rather, it allows a step to be included where necessary. A step-free path would also meet the relevant *Performance Requirements*.

The variation option applies under Options 1, 2 and 3 to the following provisions:

Volume One

DtS Provision G7.2

Volume Two

Performance Requirement P2.5.3

DTS Provisions (Acceptable Construction Practice) 3.9.3.2(b)(i) and 3.9.3.3

Proposed Objective and Functional Statement

For dwelling access, it is proposed to adopt the existing Objectives and Functional Statements applicable to building access requirements, as they are considered to be also appropriate for access to dwellings. Therefore no changes are proposed, except for a minor change to the wording of the title of Functional Statement **F2.5.1** in NCC Volume Two.

Proposed Performance Requirement

Volume One – DP1

The existing *Performance Requirement DP1* will be adopted without amendment. This because it already applies to the common areas of Class 2 buildings where the step-free path to each *sole-occupancy unit* would be located. Therefore, a step-free access path can be achieved for most *sole-occupancy units* in a Class 2 building without any amendment to the existing NCC *Performance Requirements* or the *Premises Standards*.

Volume Two – P2.5.3 (new)

New *Performance Requirement P2.5.3* is based on the wording of the Performance Statement given at Section 1 of the LHDG. A new *Performance Requirement* is necessary for NCC Volume Two because, unlike Volume One, it currently does not include any accessibility requirements.

The qualifier ‘to the degree necessary’ has been added to ensure consistency with **DP1**. Such a qualifier is applied to many NCC *Performance Requirements*. An explanation of its purpose and operation is provided in the *Guide to NCC Volume One*.

Variation Option to P2.5.3

See general explanation of variation options, above.

Proposed Deemed-to-Satisfy Provisions

Volume One – Table D3.1

Table D3.1 will be adopted, without amendment to any of its existing rows, as the basis for the provision of a step-free access path to *sole-occupancy units* in a Class 2 building. Further information about the operation of the existing **Table D3.1** can be found in the *Guide to the NCC Volume One*.

Two new rows have been inserted into **Table D3.1** to extend the step-free access path so that it reaches at least one allocated parking space for each *sole-occupancy unit* that is on an floor that is *accessible*. The first new row applies to carparking spaces that are associated with a Class 2 building, including spaces provided separately to the building or out in the open, but excluding on-street parking which is outside the remit of the NCC. The second new row applies to parking areas that considered to be Class 7a buildings (or parts of buildings) associated with a Class 2 building.

The purpose of these new rows is to ensure that the occupants of a *sole-occupancy unit* located on an *accessible* floor are not cut-off from their allocated parking space, if that space is not located on an *accessible* floor, or is in a separate building or an open air parking area. This is considered necessary because an allocated parking space is generally considered to be a part of the *sole-occupancy unit* regardless of where it is located within the allotment.

Where a *sole-occupancy unit* has more than one allocated parking space, only one of the allocated spaces needs to comply with **Table D3.1**.

An exemption is provided for carparking spaces located on levels that are not served by a ramp complying with AS 1428.1 or a passenger lift. The purpose of the exemption is to ensure that small Class 2 buildings, which would otherwise not require a lift, do not have to have a lift installed just to comply with this Part of the NCC. Such buildings, sometimes referred to a ‘walk-up blocks’, are currently allowed under the *Premises Standards* as the carparks are not considered to be a common area for the purposes of those standards.

If allocated parking is not provided, or the *sole-occupancy unit* is not located on an *accessible* floor, then the new rows of **Table D3.1** would not be applicable.

There are no provisions for visitor carparking spaces or any other carparking spaces that are not allocated for the exclusive use of the occupants of a *sole-occupancy unit*.

Volume One – note to Part G7 (new)

This note is based on a similar note that appears at the beginning of **Part G6**, which is intended to explain that the Part contains additional *DtS Provisions* for other Parts, rather than being self-contained (i.e. a Part that has both *Performance Requirements* and *DtS Provisions* contained therein).

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Volume One – G7.1 (new)

G7.1 provides the trigger for compliance with the subsequent *DtS Provisions G7.2, G7.3, G7.4 and G7.5*.

Volume One – G7.2 (new)

G7.2(a) has been inserted in response to stakeholder feedback which suggested that access to balconies and private outdoor areas is not sufficiently addressed in the current LHDG. For Class 2 *sole-occupancy units*, generally, the balcony or outdoor area (i.e. courtyard) is accessed through a different door to the one that connects the unit to a common area such as a common hallway.

G7.2(b) clarifies that this provision does not apply to any balcony or outdoor area that is a common area as these are already covered by **Part D3** and the *Premises Standards*.

Variation Option to G7.2

See general explanation of variation option, above.

Volume One – G7.3 (new)

G7.3 is derived from paragraph (d) of Section 1 of the LHDG (page 19). Minor changes to the LHDG wording have been made for consistency with current NCC drafting style.

The statement at paragraph (e) of section 1 of the LHDG has not been replicated here because the use of landings in this part of a Class 2 building is already covered by **Part D3**.

Volume One – G7.4 (new)

G7.4(a) and **(b)** replicates the Silver Level requirements for carparking spaces from Section 1, paragraph (c) of the LHDG. In the event that Gold Level is adopted (Options 2 and 3), then the additional subclause **G7.4(c)** would also apply.

G7.4 only applies to carparking spaces that are allocated for the exclusive use of occupants of a *sole-occupancy unit*. Common or visitor spaces are not covered by **G7.4**.

If a *sole-occupancy unit* has no allocated carparking space, then **G7.4** would not apply. This is because it is outside the scope of the NCC to specify minimum numbers of allocated carparking spaces for private dwellings, which is generally determined through planning regulations.

G7.4 has no effect on the existing application of **D3.5**, which requires the provision of *accessible* carparking spaces, but does not require any such spaces to be provided for Class 2 buildings.

Omission of slip resistance requirement

The LHDG requirement for the surface of the carparking space to be slip resistant has been omitted. The reasons for this are as follows:

- The LHDG offers no definition or means of verifying slip resistance.
- While there are slip resistance requirements for the surface of an accessible carparking space in AS 2890.6, these are also undefined.

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- Application of the AS 4586, which is referenced by the NCC for other slip resistance provisions, may impose significant costs if applied for the purposes of slip resistance testing the surface of a carparking space.
- There is no evidence that the LHDG or AS 2980.6 intended that AS 4586 be used as the means of verifying its slip resistance requirements.

In most cases, the surface of a carparking space will be concrete or bitumen which are less likely to pose a slip hazard. Also, in most cases the carparking areas associated with Class 2 buildings tend to be protected from the weather (e.g. in a basement) further reducing the likelihood of the surface posing a slip hazard.

Volume Two – 3.9.3.1 (new)

3.9.3.1 outlines the *Performance Requirements* that can be met by compliance with new **Part 3.9.3**.

Volume Two – 3.9.3.2 (new)

3.9.3.2(a) to **(d)** are derived from paragraphs (a), (b), (d) and (e) of Section 1 of the LHDG (pages 18-19).

3.9.3.2(a)(i) has been reworded to replace the LHDG reference to “front boundary of the property” with “pedestrian entry at the allotment boundary”. This clarifies the following points:

- The provision applies to a designated pedestrian entry point, not just the boundary in general.
- The boundary does not have to be the “front” boundary specifically. A pedestrian entrance on another boundary would also be acceptable. This would apply, for example, on a corner block with two street frontages, or in a townhouse or (Class 1a) unit development where the pedestrian entry is from a common area.
- Consistency with existing NCC drafting which uses the term “allotment boundary” rather than “property boundary”.

3.9.3.2(a)(ii) covers the use of an associated garage or carport as part of the access path. The term ‘Class 10a building’ is used because the NCC classifies garages and carports as Class 10a buildings.

3.9.3.2(a)(iii) covers the use of an uncovered parking space as part of the access path. A driveway or part of a driveway may be used under this provision only if it reserved for the exclusive use of the occupants of the dwelling. The reason for this to ensure the parking space or driveway is available at all times and that its used does not obstruct vehicle access to any other building (including another Class 1a dwelling) on the same allotment.

Exemptions from the step-free path requirement

3.9.3.2(e) sets out the circumstances in which it would not be mandatory to install the step-free path required by **3.9.3.2(a)**.

3.9.3.2(e)(i) allows the step free path to be omitted in situations where to install it would require ramping longer than what is permitted by **3.9.3.2(c)**. This will avoid excessive amounts of ramping being installed to reach the entrance door of a dwelling that has a high floor level. On a flat site, this exemption would be triggered if floor level of the dwelling is any higher than—

- 640 mm above ground level for a 1:14 ramp; or

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- 750 mm above ground level for a 1:20 ramp.

Lengths of pathway with a gradient shallower than 1:20 are not considered to be ramps and therefore cannot be counted for purposes of applying **3.9.3.2(e)(i)**.

3.9.3.2(e)(ii) recognises that in some cases there is insufficient space on the site to provide a step-free path. Both pathways and ramps may be counted for the purposes of applying **3.9.3.2(e)(ii)**. Insufficient space could be defined based on either the amount of space that is physically available on the site, or through limitations on site coverage, set-backs and the like as determined by local planning legislation.

3.9.3.2(e)(iii) reflects the exemption provided under Section 1 of the LHDG which allows the step-free path to be omitted if the ground on which the path would be located has a gradient steeper than 1:14.

3.9.3.2(e)(iv) provides an exemption for garage top dwellings. Garage top dwellings are defined in **Part 3.7.4**. This exemption recognises that whilst a garage top dwelling may have its entrance at ground level, all of the rooms within the dwelling are can only be reached by climbing a flight of stairs to the first floor. Therefore, providing a step free path up to the entrance of the dwelling would be unlikely to achieve any improvement in accessibility.

3.9.3.2(e)(v) provides an exemption for dwellings located in *flood hazard areas*. In *flood hazard areas* the *appropriate authority* may set a minimum floor height for *habitable rooms* based on the *defined flood level* plus a specified amount of *freeboard*. In such cases, a step-free path to the entrance door (which may be below the *defined flood level*) would be unlikely to achieve any improvement in accessibility if all of the *habitable rooms* can only be reached by climbing an internal stairway.

3.9.3.2(e)(vi) provides an exemption for dwellings located in *alpine areas*. In *alpine areas*, external doors that may be subject to snow build-up are *required* by **3.10.4.2(b)** to be constructed so that the threshold is not less than 900 mm above the adjoining surface. Providing a step-free path up to such a door would likely require a longer ramp than would be allowable under **3.9.3.2(c)**, assuming the surface adjacent to the external door is level.

Use of exemptions is optional

The application of the exemptions given at **3.9.3.2(e)** is optional. This means that even if one or more of the criteria given in **(e)(i)** to **(vi)** are applicable, a step-free path could still be constructed if it would not cause a conflict with any other part of the NCC.

Variation Option to 3.9.3.2(b)(i)

See general explanation of variation options, above.

Volume Two – 3.9.3.3 (new)

This clause provides for access to balconies and outdoor areas. Further explanation is provided at **G7.2**, above, which is the Volume One equivalent of **3.9.3.3**.

Variation Option to 3.9.3.3

Refer to the explanation of the variation option to **G7.2**. See general explanation of variation options, above.

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Volume Two – 3.9.3.4 (new)

3.9.3.4(a) and **(b)** replicates the Silver Level requirements for carparking spaces from Section 1, paragraph (c) (page 18) of the LHDG. In the event that Gold Level is adopted (Options 2 and 3), then the additional subclause **3.9.3.4(c)** would also apply, but only if the carparking spaces is covered.

3.9.3.4 only applies to carparking spaces that are allocated for the exclusive use of occupants of a Class 1a dwelling. Common or visitor spaces (such as may be provided in a townhouse style development) are not covered by **3.9.3.4**.

If a Class 1a dwelling has no allocated carparking space, then **3.9.3.4** would not apply. This is because it is outside the scope of the NCC to specify minimum numbers of allocated carparking spaces for private dwellings, which is generally determined through planning regulations.

In a situation where a Class 1a dwelling is on a *site* which could accommodate a carparking space, but no carparking space is constructed or otherwise clearly designated, then **3.9.3.4** should not be construed as requiring the provision of such a space on the *site*.

Omission of slip-resistance requirement

The LHDG requirement for the surface of the carparking space to be slip resistant has been omitted. The reasons for this are the same for the omission of slip resistance from **G7.4**. Refer explanation of **G7.4**.

Omission of shelter from weather requirement (Options 2 and 3 only)

Paragraph (c)(ii)(b) of Section 1 of the LHDG Gold Level, which requires the parking space to provide shelter from the weather, has been omitted from the proposed drafting. The reason for this is to avoid the access requirements for Class 1a buildings becoming more stringent than those for *accessible* carparking spaces serving Class 1b buildings, which do not require shelter from the weather. It also avoids potential conflict with local planning legislation which may not permit a garage or carport to be constructed on certain allotments.

There is no requirement for LHDG Silver Level for carparking spaces to provide shelter from the weather.

2. Dwelling entrance

Proposed Objective and Functional Statement

The proposed Objectives and Functional Statements will be the same as those for dwelling access, which are explained in Section 1 of this Explanatory Statement.

Proposed Performance Requirement

Volume One – DPI

The proposed Performance Requirement will be the same as for dwelling access, which is explained in Section 1 of this Explanatory Statement.

Volume Two – P2.5.4 (new)

Performance Requirement **P2.5.4** is derived from the Performance Statement given at Section 2 of the LHDG (page 23).

The ‘Application’ box has been inserted to clarify that **P2.5.4** only applies to a Class 1a dwelling.

Proposed Deemed-to-Satisfy Provisions

Volume One – G7.5 (new)

G7.5 is derived from paragraphs (a) to (d) of Section 2 of the LHDG (page 23).

Figure G7.5 is derived from Figures 2(a), (b) and (c) of Section 2 of the LHDG (page 26).

Volume Two – 3.9.3.5 (new)

3.9.3.5 and **Figure 3.9.3.5** are the Volume Two equivalents of **G7.5** and **Figure G7.5**; refer explanation of **G7.5** / **Figure G7.5**.

Minimum clear opening width (Option 1 only)

For Option 1 only, **G7.5(a)(iii)** and **Figure G7.5** differs from the LHDG Silver Level by allowing a clear opening width of 800 mm instead of 820 mm. This allows an 820 mm door (the most common size) to be used in a doorway that is subject to **G7.5**.

Options 2 and 3 are consistent with the LHDG Gold Level requirement for a clear opening width of 850 mm (which would require an 870 mm door).

In either case, door hardware may be ignored when measuring the *required* clear opening width, provided the door hardware is located at least 900 mm above the floor surface. This recognises that door hardware located at that height (or higher) is less likely to obstruct a wheelchair passing through the doorway.

3.9.3.5 and **Figure 3.9.3.5** are the Volume Two equivalent of **G7.5** / **Figure G7.5**.

Overlapping of clear landing space on arrival side of entrance door

G7.5(e) has been added in recognition that the clear space on the arrival side of an entrance door, as required by **(d)**, may overlap with other spaces within the building without compromising its usefulness to the occupant of any *sole-occupancy unit*. An example of such an overlap would be where the entrance door of a *sole-occupancy unit* opens onto common corridor that serves several *sole-occupancy units* within a *storey* of a Class 2 building. If Option 2 or 3 is adopted, this may necessitate such corridors being made wider than current practice so as to accommodate a 1350 mm x 1350 mm clear landing space on the arrival side of each *sole-occupancy unit* door.

A similar provision has been added in **3.9.3.5(e)** to recognise that under the current NCC it is permissible, subject to **Part 3.7.2**, for the entrance door to a Class 1a dwelling to open onto a common area shared with other Class 1a dwelling.

Omission of shelter from weather requirement

The requirement in paragraph (a)(iii) of Section 2 of the LHDG (all levels) has been omitted from **G7.5** and **3.9.3.5**. The reasons for this are:

- To avoid the accessibility requirements for entrance doors to *sole-occupancy units* in Class 2 building exceeding those applied to other buildings (including Class 1b buildings) under the current NCC and the *Premises Standards*, which do not require entrance doors to be sheltered from the weather.
- To avoid unintentionally mandating shelter for balconies and outdoor areas as a result of **G7.5 / 3.9.3.5** also being applied to doorways to these areas subject to **G7.2 / 3.9.3.3**.
- To recognise that in a Class 2 building, the entrance doors of most *sole-occupancy units* will open onto an internal part of the building, such as a common corridor, that will already provide shelter from the weather.

3. Internal doors and corridors

Change to Part titles – Volumes One and Two

The titles of **Part F3** in Volume One and **Part 3.8.2** in Volume Two are proposed to be changed to add reference to room ‘layouts’. The reason for the change is to reflect the addition into **Parts F3** and **3.8.2** of those elements of the LHDG which deal with room layout.

This approach has been taken because it is considered that the concept of room layout has a logical connection with room height, which is the current subject of **Parts F3** and **3.8.2**. This would also provide scope for future quantification of *Performance Requirements* relating to room layout using the same or a similar methodology as was used to develop the room height Verification Method (see **FV3.1** and **V2.4.2**).

Proposed Objective

Volume One – FO3(b) (new)

FO3(b) has been inserted to provide an Objective for new *Performance Requirement FP3.2*. **FO3(b)** is not based on any specific text of the LHDG, but is considered to convey this aspect of the LHDG’s intent.

The current **FO3** has been redesignated as **FO3(a)** but is otherwise unchanged.

An ‘Application’ box has been added to clarify that, unlike **FO3(a)**, **FO3(b)** only applies to a *sole-occupancy unit* in a Class 2 building

Volume Two – O2.4.2(b) (new)

O2.4.2(b) is the Volume Two equivalent of **FO3(b)**; refer explanation of **FO3(b)**.

Proposed Functional Statement

Volume One – FF3.2 (new)

FF3.2 has been inserted to reflect the LHDG’s word “comfortable”, which appears in the Performance Statement for Section 3, but is considered too subjective to be used in a *Performance Requirement*. It also provides a link between new Objective **FO3(b)** and new *Performance Requirement FP3.2*.

An ‘Application’ box has been added to align the application of **FF3.2** with that of **FO3(b)**.

Volume Two – F2.4.2(b) (new)

F2.4.2(b) is the Volume Two equivalent of **FF3.2**; refer explanation of **FF3.2**.

Proposed Performance Requirement

Volume One – FP3.2 (new)

FP3.2 is derived from the Performance Statement at Section 3 of the LHDG (page 27). The LHDG word “comfortable” has been moved to **FF3.2**, and the word “unimpeded” (also used in the LHDG) has been used to provide a more definitive and quantifiable minimum level of performance.

An ‘Application’ box has been added to align **FP3.2** with **FO3(b)** and **FF3.2**.

The qualifier ‘to the degree necessary’ has been added to reflect that in some cases, compliance with **FP3.2** is unnecessary. Examples of such cases may include doors that only provide access to plant and equipment (e.g. a water heater), or storage areas that a person cannot actually enter (e.g. a linen closet). This also aligns it with the relevant *DtS Provisions*. Such a qualifier is applied to many NCC *Performance Requirements*. An explanation of its general purpose and operation is provided in the *Guide to NCC Volume One*.

Volume Two – P2.4.2(b) (new)

P2.4.2 is the Volume Two equivalent of **FP3.2**; refer explanation of **FP3.2**.

The existing **P2.4.2** has had its title amended to reflect its expanded scope, with the existing text redesignated as **P2.4.2(a)**.

Proposed Deemed-to-Satisfy Provisions

Volume One – F3.2 (new)

F3.2 is derived from paragraphs (a) and (b) of Section 3 of the LHDG (page 27).

In **F3.2(a)(i)**, the NCC defined term *habitable room* has been used in place of the list of rooms in LHDG Section 3, paragraph (a). This because the NCC definition of *habitable room* provides a similar, more definitive list of rooms that is already used throughout the NCC. Bathroom, laundry and *sanitary compartment* are listed separately at **F3.2(a)(ii)** as these are also captured in the LHDG wording but not the NCC definition of *habitable room*.

Minimum clear opening width for doors (LHDG Figures 2(a) to (c)) has already been set out at **Figure G7.5**. As such a cross-reference to that Figure has been provided at **F3.2(c)**, rather than repeating the Figure in **Part F3**. This is consistent with current NCC drafting conventions regarding content that is referred to by multiple parts of the NCC.

Volume Two – 3.8.2.3 (new)

3.8.2.3 in the Volume Two equivalent of **F3.2**; refer explanation of **F3.2**.

4. Toilet

Terminology

The NCC defined term *sanitary compartment* is used in place of the word “toilet” (used in the LHDG) so as to ensure consistency with other NCC provisions and drafting conventions. It is also considered to be more precise than the word “toilet” which is also commonly used to refer to that type of plumbing fixture, rather than the room in which it is installed.

Proposed Objective

For the toilet, it is proposed to adopt the existing Objectives applicable to *sanitary compartments*, as they are considered to be also appropriate to describe the intent and operation of this part LHDG. Therefore no changes are proposed.

Proposed Functional Statement

Volume One – FF2.1(c) (new)

A new Functional Statement, **FF2.1(c)**, has been inserted under existing Functional Statement **FF2.1**. It is intended to reflect the LHDG’s word “easy access”, which appears in the Performance Statement for Section 4, but is considered too subjective to be used in a *Performance Requirement*.

An ‘Application’ has been inserted to clarify that **FF2.1(c)**, unlike **(a)** and **(b)**, only applies to a *sole-occupancy unit* in a Class 2 building.

Volume Two – F2.4.3(b) (new)

F2.4.3(b) is the Volume Two equivalent of **FF2.1(c)**; refer explanation of **FF2.1(c)**.

The existing text of **F2.4.3** has been redesignated as **F2.4.3(a)**.

An ‘Application’ has been inserted to clarify that **F2.4.3(b)**, unlike **(a)**, only applies to a Class 1a dwelling.

Proposed Performance Requirements

Volume One – FP2.7 (new)

A new *Performance Requirement*, **FP2.7** has been inserted. It is derived from parts of the existing *Performance Requirements* **FP2.1(a)** and **FP2.5**, which are already applicable to *sole-occupancy units* in Class 2 buildings, and are considered appropriate to convey the intent of Section 4 of the LHDG. The purpose of the separate **FP2.7** to make clear which *Performance Requirements* are directly applicable to the construction of a *sanitary compartment* within a *sole-occupancy unit* in a Class 2 building.

An ‘Application’ box has been inserted to clarify that **FP2.7** only applies within a *sole-occupancy unit* in a Class 2 building. There is no change to the *Performance Requirements* for *sanitary compartments* in any other part of a Class 2 building (e.g. in a common area).

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The new *Performance Requirement FP2.7* also does not include the qualification “to the degree necessary” which appears in **FP2.1** (but not **FP2.5**). This qualifier has been omitted to provide consistency between **FP2.7** and its Volume Two equivalents, **P2.4.3(a)** and **(e)**, which are existing NCC *Performance Requirements*.

Volume Two – P2.4.3(a) and (e)

For Volume Two, it is considered appropriate to adopt the existing *Performance Requirement P2.4.3(a)* and **(e)** which already applies to *sanitary compartments* serving a Class 1a dwelling.

Proposed Deemed-to-Satisfy Provisions

Volume One – F2.5(b)(iii)

F2.5(b)(iii) has been amended to insert reference to new **Figure F2.5 – diagram 2**.

Compliance with **Figure F2.5 – diagram 2** will only be *required* for *sanitary compartments* that are *required* to comply with the new *DtS Provision F2.5(d)*, explained below.

Sanitary compartments that comply with **Figure F2.5 – diagram 2** will not need to also comply with the existing **Figure F2.5** on the basis that compliance with the former will likely also result in compliance with the latter. However, this will not offset the need to comply with other parts of **F2.5**.

Volume One – F2.5(d) (new)

F2.5(d) is derived from paragraphs (a)(i), (ii) and (iii) of Section 4 of the LHDG (page 29).

The lead-in has been worded to reflect that **F2.5(d)**, unlike other parts of **F2.5**, only applies on the ground or entry level of a *sole-occupancy unit* in a Class 2 building.

The lead-in also includes the words “at least 1” to clarify that in a *sole-occupancy unit* that contains more than one *sanitary compartment*, only one of the *sanitary compartments* needs to comply with **F2.5(d)**. This qualification does not exist in the LHDG but has been included to reflect stakeholder feedback on the Options Paper.

Volume One – Figure F2.5 – diagrams 2 and 3 (new)

Figure F2.5 – diagrams 2 and 3 are derived from Figures 3(a) and (b) of Section 4 of the LHDG (pages 31-32).

The existing **Figure F2.5** will be redesignated as **Figure F2.5 – diagram 1**.

Volume Two – 3.8.3.2(c) (new)

3.8.3.2(c) is derived from paragraph (a) of Section 4 of the LHDG.

A cross-reference to new *DtS Provision 3.8.3.2(b)(ii)* has also been provided to clarify the application of this provision to *sanitary compartments* that are detached from the main dwelling (e.g. an outhouse). The proposed change to **3.8.3.2(b)** is explained under ‘Consequential amendments’.

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Volume Two – 3.8.3.2(d) (new)

3.8.3.2(d) has been inserted to provide an exemption for garage top dwellings, on the basis that such dwellings generally don not have any rooms on the ground or entry level (note: here the term ‘entry level’ is taken to refer to the location of the entrance door, not the level on which the first room at the top of the entry stairs is located).

The term ‘garage top dwelling’ refer to a type of Class 1a dwelling which **Part 3.7.4** applies.

It is not mandatory to apply this exemption. A *sanitary compartment* complying with **3.8.3.3(b)** may still be provided if so desired by the building owner.

Volume Two – 3.8.3.3(a)

The existing text of **3.8.3.3** has been redesignated as **3.8.3.3(a)**, with subclauses therein also being dropped a level (i.e. (a) becomes (i), (i) becomes (A) and so on). This enables a new paragraph **3.8.3.3(b)** to be inserted under the same heading. A reference to new **Figure 3.8.3.3 – diagram 2** has also been inserted.

3.8.3.3(a) is the Volume Two equivalent of **F2.5(b)(iii)**; refer explanation of **F2.5(b)(iii)**, above.

Volume Two – 3.8.3.3(b) (new)

3.8.3.3(b) is the Volume Two equivalent of **F2.5(d)**; refer explanation of **F2.5(d)**.

The cross-reference to **3.8.3.2(c)** has been inserted to clarify that this provision only applies to a toilet that is on the ground or entry level, and to only one toilet if more than one is provided on the ground or entry level. This qualification does not exist in the LHDG but has been included to reflect stakeholder feedback on the Options Paper.

Volume Two – Figure 3.8.3.3 – diagrams 2 and 3 (new)

Figure 3.8.3.3 – diagrams 2 and 3 are derived from Figures 3(a) and (b) of Section 4 of the LHDG (pages 31-32).

The existing **Figure 3.8.3.3** will be redesignated as **Figure 3.8.3.3 – diagram 1**.

5. Shower

Proposed Objective and Functional Statement

The proposed Objectives and Functional Statements will be the same as those for *sanitary compartments*, which are explained in Section 4 of this Explanatory Statement.

Proposed Performance Requirement

The proposed *Performance Requirements* will be the same as those for *sanitary compartments*, which are explained in Section 4 of this Explanatory Statement.

Proposed Deemed-to-Satisfy Provisions

Volume One – F2.10 (new)

F2.10 is derived from paragraphs (a) and (b), and for Options 2 and 3, paragraph (c), of Section 5 of the LHDG (page 33).

The lead-in includes wording to clarify that **F2.10**, unlike other *DtS Provisions* in **Part F2**, only applies in a *sole-occupancy unit* in a Class 2 building. The words “at least one” have also been added to clarify that in a *sole-occupancy unit* that contains more than one shower, only one of the showers needs to comply with **F2.10**. This qualification does not exist in the LHDG but has been included to reflect stakeholder feedback on the Options Paper.

F2.10(a) has been clarified to refer to the “shower screen door”, not simply the “shower screen”. This is considered to more accurately reflect the intent of Section 5 of the LHDG.

F2.10(b) has been clarified to state specifically what types of step cannot be included in a shower enclosure that is subject to **F2.10**. An upper limit of 25 mm in height has also been added to clarify that this provision does not:

- preclude the use of a small change in floor level to enable drainage/prevent spillage; or
- prevent a horizontal part of a shower screen frame from running across the opening to the shower enclosure.

Volume Two – 3.8.3.4 (new)

3.8.3.4 is the Volume Two equivalent of **F2.10**; refer explanation of **F2.10**, except for **3.8.3.4(e)** which provides an exemption for garage top dwellings, for the same reason as is set out in the explanation of **3.8.3.2(d)**.

6. Reinforcement of bathroom and toilet walls

Terminology

The NCC defined term *sanitary compartment* is used in place of the word “toilet” (used in the LHDG) so as to ensure consistency with other NCC provisions and drafting conventions. It is also considered to be more precise than the word “toilet” which is also commonly used to refer to that type of plumbing fixture, rather than the room in which it is installed.

Proposed Objective

Volume One – FO2(f) (new)

FO2(f) has been inserted to reflect the intent of the Performance Statement given at Section 6 of the LHDG (page 36).

An ‘Application’ box has been added to clarify that **FO2(f)**, unlike other parts of **FO2**, only applies to a *sole-occupancy unit* in a Class 2 building.

The defined term *sanitary compartment* has been used in place of the word “toilet”, as appears in the LHDG, on the basis that *sanitary compartment* has more precise meaning.

Volume Two – O2.4.3(f) (new)

O2.4.3(f) is the Volume Two equivalent of **FO2(f)**; refer explanation of **FO2(f)**.

Proposed Functional Statement

Volume One – FF2.5 (new)

FF2.5 has been inserted to provide a link between the new Objective **FO2(f)** and the new *Performance Requirement* **FP2.8**.

An ‘Application’ box has been added to align the application of **FF2.5** with that of **FO2(f)**.

Volume Two – F2.4.3(f) (new)

F2.4.3(f) is the Volume Two equivalent of **FF2.5**; refer explanation of **FF2.5**.

Proposed Performance Requirements

Volume One – FP2.8 (new)

FP2.8 is derived from the Performance Statement given in Section 6 of the LHDG (page 36).

The wording of the LHDG Performance Statement has been modified to define the phrase “safely and economically” to mean “minimises removal of existing wall linings”. This has been done to ensure that compliance with this *Performance Requirement* is readily verifiable.

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An ‘Application’ box has been added to align **FP2.8** with the application of new Objective **FO2(f)** and new Functional Statement **FF2.5**.

Volume Two – P2.4.8 (new)

P2.4.8 is the Volume Two equivalent of **FP2.7**; refer explanation of **FP2.7**.

Proposed Deemed-to-Satisfy Provisions

Volume One – F2.11 (new)

F2.11(a) is derived from paragraphs (a) to (d) of Section 6 of the LHDG (page 36).

Cross-references to **F2.5(d)** and **F2.10** have been added to ensure that wall reinforcing *required* by **F2.11** is provided in a bathroom or *sanitary compartment* that also complies with **F2.5(d)** or **F2.10**, as applicable. Without this clarification, in a dwelling with more than one bathroom or *sanitary compartment*, it would be possible to construct one of the bathrooms or *sanitary compartments* to comply with **F2.10** and the other to **F2.5(d)** or **F2.11**. Such an interpretation would be counterproductive as the benefits of **F2.10** and **F2.11** are best realised when both provisions are applied to the same facility.

F2.11(b) has been added to provide default dimensions for a closet pan which can be used in situations where the actual closet pan has not been selected or its dimensions are unknown.

F2.11(c) has been added to clarify that noggings installed for the purposes of compliance with **F2.11(a)** must comply with the applicable NCC framing requirements, as if they were noggings installed for the purposes of those requirements.

F2.11(b) and **(c)** do not appear in the LHDG but has been added in response to technical feedback on an earlier version of the draft NCC changes document.

F2.11(d)(i) has been inserted to clarify that reinforcement is not necessary for walls constructed of a material that can support grabrails on its own (e.g. brickwork or concrete).

F2.11(d)(ii) has been added because not all bathtubs are wall- or corner-mounted, nor is it the intent of **F2.11** to require that bathtubs be wall- or corner-mounted.

Volume Two – 3.8.3.5 (new)

3.8.3.5 is the Volume Two equivalent of **F2.11**; refer explanation of **F2.11**.

Volume One – Figure F2.11 / Volume Two – Figure 3.8.3.5 (new)

Figure F2.11 / 3.8.3.5 (which includes 10 separate diagrams) is derived from Figures 6(a) and (b), 7(a) and (b) and Figure 8(a) and (b), shown in Section 6 of the LHDG (pages 37-41).

7. Internal stairways

Proposed Objective and Functional Statement

The proposed Objectives and Functional Statements will be the same as those for dwelling access, which are explained in Section 1 of this Explanatory Statement.

Proposed Performance Requirement

Existing *Performance Requirements DP1* (Volume One) and new *Performance Requirement P2.5.3* (Volume Two) will be adopted in place of the Performance Statement given at Section 7 of the LHDG (page 42).

These *Performance Requirements* are considered to be consistent with the wording of the LHDG in relation to internal stairways.

Proposed Deemed-to-Satisfy Provisions

Note regarding Option 1

Option 1 (LHDG Silver Level), as applied to internal stairways, was incorporated into the NCC in 2014. As such, no changes to the existing *DtS Provisions* would be necessary should Option 1 be adopted.

Therefore, the proposed *DtS Provisions* explained below are only applicable to Options 2 and 3.

Volume One – D2.13(d) (new)

D2.13(d) is derived from paragraphs (a)(ii), (iii) and (iv) of Section 7 of the LHDG (page 42).

The provision does not require an entire stairway to be straight or in a single *flight*. Rather, it is intended to prevent the use of spiral stairs or winder stairs, which can be dangerous to negotiate for a person with reduced mobility.

The requirement for the stairway to be installed against a wall that can support a handrail is intended to provide for the future installation of a handrail, such that the stairway would then have a handrail on both sides.

The proposed **D2.13(d)** will not apply if the existing concession at **D2.18** is used. That concession allows stairways to comply with AS 1657 in lieu of **D2.13**, **D2.14**, **D2.16** and **D2.17** in specified circumstances. This is not considered likely to detract from the intent of the LHDG requirements for internal stairways.

Volume Two – 3.9.1.2(e) (new)

3.9.1.2(e) is the Volume Two equivalent of **D2.13(d)**; refer explanation of **D2.13(d)**.

A cross reference to **3.9.1.2(b)** has been included in the lead-in to **(e)** so as to ensure the concession at **(b)** can still be used in the circumstances in which it is applicable. This is not considered likely to detract from the intent of the LHDG requirements for internal stairways.

8. Kitchen space

Proposed Objective

The proposed Objectives **FO3(b)** (Volume One) and **O2.4.2(b)** (Volume Two), which are explained in Section 3 of this Explanatory Statement, will also be applied for kitchen space requirements.

Proposed Functional Statement

The proposed Functional Statements **FF3.2** (Volume One) and **F2.4.2(b)** (Volume Two), which are explained in Section 3 of this Explanatory Statement, will also be applied for kitchen space requirements.

Proposed Performance Requirements

Volume One – FP3.3 (new)

FP3.3 is derived from the Performance Statement given at Section 8 of the LHDG (page 44).

The wording has been modified from that of the LHDG so as to ensure that compliance with **FP3.3** is readily verifiable.

An ‘Application’ box has been added to clarify that **FP3.3** only applies to a *sole-occupancy unit* in a Class 2 building.

Volume Two – P2.4.2(c) (new)

P2.4.2(c) is the Volume Two equivalent of **FP3.3**; refer explanation of **FP3.3**.

Proposed Deemed-to-Satisfy Provisions

Volume One – F3.3 (new)

F3.3 is derived from paragraphs (a) of Section 8 of the LHDG (page 44).

The wording of **F3.3** has been modified that of the LHDG so as to clarify subjective elements and align with existing NCC drafting conventions.

The note regarding “advice from a third party”, which appears in the LHDG, has not been included in the proposed *DtS Provisions* as it concerns an administrative matter that is outside the scope of the NCC.

F3.3 only applies in a *sole-occupancy unit* in Class 2 building. If a *sole-occupancy unit* contains more than one kitchen, then only one of the kitchens would need to comply with **F3.3**.

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Volume Two – 3.8.2.4 (new)

3.8.2.4 is the Volume Two equivalent of **F3.3**; refer explanation of **F3.3**.

Omission of floor finish requirements from F3.3 / 3.8.2.4

The LHDG requirements for kitchen floor finishes to be slip resistant and extend under fixed cabinetry have been omitted from the proposed NCC drafting. The reasons for this are as follows:

- To ensure that the requirements for private dwellings (Class 1a and Class 2 *sole-occupancy units*) do not become more stringent than the existing requirements for Class 1b dwellings, which do not require slip resistance for kitchen floors.
- Enforceability issues, in cases where the final floor finished is not specified as part of the approved building design and is instead to be supplied by the client post-construction.
- Even if a floor finish is extended under fixed cabinetry, the effects of wear and sunlight on the exposed parts of the floor may contrast with parts that have been under a cabinet. This may mean that if cabinetry is altered later, people will still decide to replace the whole floor finish.
- The floor finish requirements (other than for slip resistance) do not address any safety or amenity issues; they are a purely aesthetic consideration and are therefore outside the regulatory scope of the NCC.

9. Laundry space

Proposed Objectives

The proposed Objectives **FO3(b)** (Volume One) and **O2.4.2(b)** (Volume Two), which are explained in Section 3 of this Explanatory Statement, will also be applied for laundry space requirements.

Proposed Functional Statements

The proposed Functional Statements **FF3.2** (Volume One) and **F2.4.2(b)** (Volume Two), which are explained in Section 3 of this Explanatory Statement, will also be applied for laundry space requirements.

Proposed Performance Requirements

Volume One – FP3.4 (new)

FP3.4 is derived from the Performance Statement given at Section 9 of the LHDG (page 46).

The wording has been modified from that of the LHDG so as to ensure that compliance with **FP3.4** is readily verifiable.

An ‘Application’ box has been added to clarify that **FP3.4** only applies to a *sole-occupancy unit* in a Class 2 building.

Volume Two – P2.4.2(d) (new)

P2.4.2(d) is the Volume Two equivalent of **FP3.4**; refer explanation of **FP3.4**.

Proposed Deemed-to-Satisfy Provisions

Volume One – F3.4 (new)

F3.4 is derived from paragraphs (a) and (b) of Section 9 of the LHDG (page 46).

The wording of **F3.4(b)** has been modified from that of the LHDG so as to clarify subjective elements and align with existing NCC drafting conventions.

The note regarding “advice from a third party”, which appears in the LHDG, has not been included in the proposed *DtS Provisions* as it concerns an administrative matter that is outside the scope of the NCC.

Volume Two – 3.8.2.5 (new)

3.8.2.5 is the Volume Two equivalent of **F3.4**; refer explanation of **F3.4**.

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Omission of floor finish requirements from F3.4 / 3.8.2.5

The LHDG requirements for kitchen floor finishes to be slip resistant and extend under fixed cabinetry have been omitted from the proposed NCC drafting. The reasons for this are as follows:

- To ensure that the requirements for private dwellings (Class 1a and Class 2 *sole-occupancy units*) do not become more stringent than the existing requirements for Class 1b dwellings, which do not require slip resistance for kitchen floors.
- Enforceability issues, in cases where the final floor finished is not specified as part of the approved building design and is instead to be supplied by the client post-construction.
- Even if a floor finish is extended under fixed cabinetry, the effects of wear and sunlight on the exposed parts of the floor may contrast with parts that have been under a cabinet. This may mean that if cabinetry is altered later, people will still decide to replace the whole floor finish.
- The floor finish requirements (other than for slip resistance) do not address any safety or amenity issues; they are a purely aesthetic consideration and are therefore outside the regulatory scope of the NCC.

10. Ground (or entry level) bedroom space

Proposed Objectives

The proposed Objectives **FO3(b)** (Volume One) and **O2.4.2(b)** (Volume Two), which are explained in Section 3 of this Explanatory Statement, will also be applied for bedroom space requirements.

Proposed Functional Statements

The proposed Functional Statements **FF3.2** (Volume One) and **F2.4.2(b)** (Volume Two), which are explained in Section 3 of this Explanatory Statement, will also be applied for bedroom space requirements.

Proposed Performance Requirements

Volume One – FP3.5 (new)

FP3.5 is derived from the Performance Statement given at Section 10 of the LHDG (page 48).

An ‘Application’ box has been added to clarify the application of **FP3.5**.

Volume Two – P2.4.2(e) (new)

P2.4.2(e) is the Volume Two equivalent of **FP3.5**; refer explanation of **FP3.5**.

A ‘Limitation’ box has also been added to exempt garage top dwellings from compliance with **P2.4.2(e)** on the grounds that to do so is impractical for this type of dwelling.

Proposed Deemed-to-Satisfy Provisions

Volume One – F3.5 (new)

F3.5 (except **F3.5(b)**) is derived from paragraph (a), and the associated diagram (unnumbered) of Section 10 of the LHDG (pages 48-49).

F3.5(b) has been added to provide a means of assessing whether or not a room or space is suitable to be used a bedroom, in respect matters other than its size. The LHDG does not provide any definition for its use of the term ‘bedroom’, nor does the NCC, other than by including bedrooms in the definition of *habitable room*.

F3.5(b)(i) requires any such room to be of a type listed in the existing NCC definition of *habitable room* and, by implication, to comply with all applicable NCC provisions concerning *habitable rooms*. The intent of this requirement is to prevent unsuitable rooms being counted for the purposes of compliance with **F3.5(a)**.

F3.5(b)(ii) requires natural light and ventilation to be provided in accordance with **Part F4**; this ensures that a room that is not initially designed as a bedroom would have a level of amenity appropriate for a bedroom if it is used as such in the future.

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F3.5(d) provides a standard assumed bed size. This is necessary to objectively assess compliance with **F3.5(a)(ii)**, given that a bed is generally not detailed or specified in floor plan drawings.

It is important to note that **F3.5** does not require any additional rooms to be suitable for use as a bedroom if there is already a designated ‘bedroom’ on the ground or entry level that complies with **F3.5**, as well as any other applicable NCC requirements. **F3.5** would only affect other rooms if there is no complying bedroom on the ground or entry level.

Volume Two – 3.8.2.6 (new)

3.8.2.6 is the Volume Two equivalent of **F3.5**; refer explanation of **F3.5**.

11. Light switches and powerpoints

Proposed Objectives

Volume One – FO3(c) (new)

FO3(c) has been inserted to articulate the intent of Section 11 of the LHDG (page 50).

The words “or within” have been added to recognise the location of light switches and general power outlets within a room or space.

An ‘Application’ box has been added to clarify the application of **FO3(c)**.

Volume Two – O2.4.2(c) (new)

O2.4.2(c) is the Volume Two equivalent of **FO3(c)**; refer explanation of **FO3(c)**.

Proposed Functional Statements

Volume One – FF3.3 (new)

FF3.3 has been added to outline the connection between **FO3(c)** and the new *Performance Requirement FP3.6*.

FF3.3 is derived from the Performance Statement given at Section 11 of the LHDG (page 50). The wording “easy to reach” used in the LHDG has been moved to a Functional Statement because it is too subjective to be appropriate for regulatory use as a *Performance Requirement*. Alternative wording has been devised for the corresponding *Performance Requirement*; refer explanation of **FP3.6**.

The term “general power outlet” has been used in place of the term “powerpoint”, used in the LHDG, as powerpoint is a colloquial term.

An ‘Application’ box has been added to align **FF3.3** with new Objective **FO3(c)**.

Volume Two – F2.4.2(c) (new)

F2.4.2(c) is the Volume Two equivalent of **FF3.3**; refer explanation of **FF3.3**.

Proposed Performance Requirements

Volume One – FP3.6

FP3.6, unlike other proposed *Performance Requirements*, is not derived from the wording of the LHDG which, as was noted in the explanation of **FF3.3**, has been moved to a Functional Statement. The wording proposed for **FP3.6** has been developed to provide a quantifiable (albeit, not quantified) formulation of the intent of Section 11 of the LHDG (page 50).

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The qualification “to the degree necessary” has been added to recognise that in some cases there is no necessity for compliance. For example, a GPO that is for a specific purpose such as powering a fridge.

An ‘Application’ box has been added to align **FP3.6** with its Objective and Functional Statement.

Volume Two – P2.4.2(f) (new)

P2.4.2(f) is the Volume Two equivalent of **FP 3.6**; refer explanation of **FP3.6**.

Proposed Deemed-to-Satisfy Provisions

Volume One – F3.6 (new)

F3.6 (except **F3.6(c)** and **(d)**) is derived from paragraphs (a) and (b) of Section 11 of the LHDG (page 50).

F3.6(c)(i) has been added in recognition that electrical safety considerations, which may exist in other regulations outside the NCC (e.g. electrical standards), will naturally take precedence over the amenity considerations that are addressed by **F3.6(b)**.

F3.6(c)(ii) recognises situations in which compliance with **F3.6(b)** would be impractical or illogical.

F3.6(d) recognises situations in which the optimal height of a general power outlet is dictated by the fact it has been provided for a specific purpose (e.g. a fridge). In these cases, compliance with **F3.6** would be unnecessary because the outlet would only need to be reached when an appliance is replaced, or an occupant is moving into or vacating the dwelling.

Volume Two – 3.8.2.7 (new)

3.8.2.7 is the Volume Two equivalent of **F3.6**; refer explanation of **F3.6**.

12. Door hardware

Proposed Objectives

Volume One – FO3(d) (new)

FO3(d) has been inserted to articulate the intent of Section 12 of the LHDG (page 52).

An ‘Application’ box has been added to clarify the application of **FO3(d)**.

Volume Two – O2.4.2(d) (new)

O2.4.2(d) is the Volume Two equivalent of **FO3(d)**; refer explanation of **FO3(d)**.

Proposed Functional Statements

Volume One – FF3.4 (new)

FF3.4 has been added to outline the connection between **FO3(d)** and the new *Performance Requirement FP3.7*.

FF3.4 is derived from the Performance Statement given at Section 12 of the LHDG (page 52). The wording “easily and independently” used in the LHDG has been move to a Functional Statement because it is too subjective to be appropriate for regulatory use as a *Performance Requirement*.

The qualification “to the degree necessary” has been added to recognise that in some cases there is no necessity for compliance. For example, a door that only provides access for maintenance of electrical equipment and as such would only be used by an electrician.

An ‘Application’ box has been added to align **FF3.4** with its Objective.

Volume Two – F2.4.2(d) (new)

F2.4.2(d) is the Volume Two equivalent of **FF3.4**; refer explanation of **FF3.4**.

Proposed Performance Requirements

Volume One – FP3.7 (new)

FP3.7, unlike other proposed *Performance Requirements*, is not derived from the wording of the LHDG which, as was noted in the explanation of **FF3.4**, has been moved to a Functional Statement. The wording proposed for **FP3.7** has been developed to provide a quantifiable (albeit, not quantified) formulation of the intent of Section 12 of the LHDG (page 52).

An ‘Application’ box has been added to align **FP3.7** with its Objective and Functional Statement.

A ‘Limitation’ box has been added to clarify that **FP3.7** need not be complied if doing so would cause the door to become non-compliant with *Performance Requirement GP1.2*, which relates to *swimming pool* barriers (including doors that form a part of a *swimming pool* barrier).

Volume Two – P2.4.2(g) (new)

P2.4.2(g) is the Volume Two equivalent of **FP3.7**; refer explanation of **FP3.7**.

Proposed Deemed-to-Satisfy Provisions

Volume One – F3.7 (new)

F3.7(a) is derived from paragraph (a) of Section 12 of the LHDG (page 52).

F3.7(a)(i) and **(ii)** have been added to clarify that **F3.7(a)** need only be complied with for entrance doors that comply with **G7.2** or **G7.5**, or internal doors that comply with **F3.2**.

F3.7(b) provides that the requirements for doors forming part of a *swimming pool* barrier that is *required* by **G1.1** will override **F3.7**. This is necessary to retain the integrity of a *swimming pool* barrier that includes a door (i.e. where a door from the dwelling opens directly to a *swimming pool* enclosure).

Volume Two – 3.8.2.8 (new)

3.8.2.8 is the Volume Two equivalent of **F3.7**; refer explanation of **F3.7**.

13. Window sills

Proposed Objectives

Volume One – FO3(e) (new)

FO3(e) has been inserted to articulate the intent of Section 14 of the LHDG (page 52).

An ‘Application’ box has been added to clarify the application of **FO3(e)**.

Volume Two – O2.4.2(e) (new)

O2.4.2(e) is the Volume Two equivalent of **FO3(e)**; refer explanation of **FO3(e)**.

Proposed Functional Statements

Volume One – FF3.5 (new)

FF3.5 has been added to outline the connection between **FO3(e)** and the new *Performance Requirement FP3.8*.

An ‘Application’ box has been added to align **FF3.5** with its Objective.

Volume Two – F2.4.2(e) (new)

F2.4.2(e) is the Volume Two equivalent of **FF3.5**; refer explanation of **FF3.5**.

Proposed Performance Requirements

Volume One – FP3.8 (new)

FP3.8 is derived from the Performance Statement given at Section 14 of the LHDG (page 56).

The qualifier ‘to the degree necessary’ has been added in recognition that for some windows there is no necessity for compliance with **FP3.8**. For **FP3.8(a)** this may include windows that are translucent rather than transparent, internal windows, or those that sit above a fixed benchtop and for **FP3.8(b)**, fixed windows which would not have any controls. **FP3.8** does not cover window furnishings, blinds, etc. as these are usually installed post-construction.

An ‘Application’ box has been added to align **FP3.8** with its Objective.

A ‘Limitation’ box has been added to clarify that **FP3.8** need not be applied if doing so would cause a falling hazard (defined by reference to **DP3(b)** and (c), or cause the building to breach applicable planning legislation. The reference to planning legislation has been inserted in recognition that in some cases it may restrict the size and view from a window, so as to protect the privacy of neighbours, or for other reasons.

Volume Two – P2.4.2(h) (new)

P2.4.2(h) is the Volume Two equivalent of **FP3.8**; refer explanation of **FP3.8**.

Proposed Deemed-to-Satisfy Provisions

Volume One – F3.8 (new)

F3.8 is derived from paragraph (a), and the note, of Section 14 of the LHDG (page 56).

F3.8(a)(i) has been added to clarify that **F3.8** only applies in rooms where access to a view is relevant to the level of amenity of the room; i.e. *habitable rooms*.

F3.8(a)(ii) has been added in recognition of the fact that a view can only be enjoyed from a window that is transparent.

F3.8(b) provides concessions for situations in which compliance with **F3.8(a)** would be unreasonable or impractical. Broadly, these include:

- Internal windows, which may be used to ‘borrow’ light from an adjoining room.
- Windows that sit above a fixed benchtop, which would cause the sill height to exceed 1000 mm above finished floor level.
- Protecting occupancy privacy (e.g. a bathroom window).
- Avoiding overlooking of neighbouring properties..

The defined term *window* is not used in **F3.8** because **F3.8** does not apply to all of the glazing types referred to in the definition given in **Schedule 3**. This is consistent with other provisions that also use the word “window” but not the defined term; one example of such a provision is **D2.24**.

Volume One – F3.9 (new)

F3.9 is derived from paragraph (b) of Section 14 of the LHDG (page 56).

F3.9(a)(i) has been added in recognition that window controls are usually only provided in *habitable rooms* where access to natural ventilation contributes to the amenity of the room.

F3.9(a)(ii) has been added to provide a logical connection between the requirement to provide natural ventilation under **F4.6**, and the intent of **F3.9** to enable most occupants to have control over such ventilation. Without this ‘logical connection’ it would be possible to have a window that provides *required* natural ventilation, yet has operating controls that are not able to be reached by some occupants.

F3.9(b) has been added to avoid conflicts with certain safety-related provisions found elsewhere in the NCC, specifically:

- **G1.1**, which may require window controls to be child-resistant if it forms part of a *swimming pool* barrier.
- **D2.24**, which places certain restrictions on how a window may be opened, so as to limit the risk of a person (especially a young child) falling through an openable window.

Volume Two – 3.8.2.9 (new)

3.8.2.9 is the Volume Two equivalent of **F3.8**; refer explanation of **F3.8**.

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Volume Two – 3.8.2.10 (new)

3.8.2.10 is the Volume Two equivalent of **F3.9**; refer explanation of **F3.9**.

Consequential amendments

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Volume One – D3.0(a)(vi) (new)

D3.0(a)(vi) has been inserted to clarify that, for *sole-occupancy units* in Class 2 buildings, compliance with **Part G7** will be necessary for the purposes of a *Deemed-to-Satisfy Solution*.

Volume One – F2.0(a)(i)

F2.0(a) and **(a)(i)** have been amended to recognise the addition of *Performance Requirement FP2.8*, and new *DtS Provisions F2.10* and **F2.11**.

Volume One – F3.0(a)(i)

F3.0(a) and **(a)(i)** have been amended to recognise the addition of *Performance Requirements FP3.2, FP3.3, FP3.4, FP3.5, FP3.6, FP3.7* and **FP3.8**, and new *DtS Provisions F3.2, F3.3, F3.4, F3.5, F3.6, F3.7, F3.8* and **F3.9**.

Appropriate Performance Requirements

Volume Two – Part 3.8.2

The words “or layout” have been inserted to reflect the expanded scope of **Part 3.8.2**.

Volume Two – Part 3.8.3

Reference to new *Performance Requirement P2.4.8* has been added to the *Appropriate Performance Requirements* for **Part 3.8.3**.

Volume Two – Part 3.9.3 (new)

A new *Appropriate Performance Requirements* box has been inserted to link new **Part 3.9.3** with new *Performance Requirements P2.5.3* and **P2.5.4**.

Acceptable Construction Practice (application of)

Volume Two – 3.8.2.1

The words “or layout” have been inserted to reflect the expanded scope of **Part 3.8.2**.

Required facilities in a separate building

Volume Two – 3.8.3.2(b)(ii) (new)

3.8.3.2(b)(ii) has been inserted to provide that where a *required* facility (e.g. a toilet) is provided in a separate building from a Class 1a dwelling (e.g. an outhouse), then the separate building needs to be connected to the dwelling by way of an access path that complies with **3.9.3.2**.

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3.9.3.2 addresses the step-free pathway from the property boundary or carparking space to the dwelling entrance door. Its specifications are also considered appropriate for a path that connects a Class 1a dwelling to an outbuilding.

The intention of this change is ensure that *required* facilities in separate buildings are not rendered inaccessible by the lack of a suitable connecting pathway.

The existing text of **3.8.3.2(b)** has been redesignated as **3.8.3.2(b)(i)**.

There is no equivalent provision in Volume One.

Ramps (other than as part of a dwelling entry path)

Volume Two – 3.9.1.3

The lead-in to **3.9.1.3** has been amended to provide a delineation between it and the requirements under **3.9.3.2** for ramps that form part of a dwelling entry path.

This removes a potential conflict between the two provisions with respect to maximum gradient.

This change has not been replicated in Volume One because in a Class 2 building, such a ramp would be subject to compliance with AS 1428.1.

Landings (other than as part of a dwelling entry path)

Volume Two – 3.9.1.5

The lead-in to **3.9.1.5** has been amended to provide a delineation between it and the requirements under **3.9.3.2** for landings that form part of a dwelling entry path.

This removes a potential conflict between the two provisions with respect to maximum gradient, crossfall and dimensions.

This change has not been replicated in Volume One because in a Class 2 building, such landings would be subject to compliance with AS 1428.1.

Attached decks or balconies

Volume Two – 3.10.6.5 (new)

3.10.6.5 has been inserted to clarify that attached decks and balconies covered by **Part 3.10.6** must also comply with **3.9.3.2** if they are part of the step-free path.

Flood hazard areas

Volume Two – 3.10.3.0(b) (new)

3.10.3.0(b) has been inserted to enable resolution of potential conflicts between this Part and **Part 3.9.3**. For example, where compliance with **Part 3.10.3** requires the floor level of dwelling be set at a height than cannot reasonably be reached by a step-free path complying with **Part 3.9.3**.

While such a conflict could also occur with respect to *sole-occupancy units* in a Class 2 building, in such situations there is greater scope for the issue to be resolved by way of installing a lift. Therefore, no amendment has been proposed for this aspect of Volume One.

The existing text of **3.10.3.0** has been redesignated as **3.10.3.0(a)**.

Fire hazard properties

Volume One – C1.10(c)(vii)(D) (new)

C1.10(c)(vii)(D) has been inserted to allow plywood sheet reinforcing *required* by **F2.11** to be used in walls that are *required* to comply with **Specification C1.10**, but only if the plywood is covered by another material that is already recognised by **C1.10(c)**, or is itself complies with **Specification C1.10**.

This is considered likely to reduce the risk that may otherwise be posed by the attachment of plywood reinforcing to walls that are *required* to comply with **Specification C1.10**.

There is no equivalent provision in Volume Two.

Volume One – Specification C1.10—Table 3

A note has been added to **Table 3** to clarify its references to Class 2 buildings that include “accommodation for people with a disability”, in the context of the proposed inclusion of accessibility provisions for Class 2 *sole-occupancy units* in Volume One.

The effect of the note is that compliance with the proposed accessibility provisions would not in and of itself cause the building to be considered “accommodation for people with a disability” for the purposes of **Table 3**. Instead, the trigger for such designation will be the inclusion of additional or specialist features over an above what would be required by the NCC, for example a ceiling hoist.

Without this note, most Class 2 *sole-occupancy units* could be considered “accommodation for people with a disability” for the purposes of **Table 3**, resulting in a potentially unnecessary cost increase due to the more stringent fire safety provisions applicable to such buildings.

This change is considered unlikely to increase risk to occupants on the basis that the reference to “accommodation for people with a disability” in Table 3 is more relevant to Class 3 buildings, rather than Class 2, given that the definition of Class 3 explicitly includes “accommodation for...people with disability” (see **A6.3(4)**), yet no similar wording appears in the definition of Class 2.

There is no equivalent provision in Volume Two.

Smoke detection and alarm systems

Volume One – Specification E2.2a—Clause 3(b)(v) (new)

Clause 3(b)(v) has been inserted into **Specification E2.2a** to ensure that a room designed for future use as a bedroom, as *required* by **F3.5**, has an equivalent smoke detection and alarm system as would be *required* for a room designed for immediate use as a bedroom.

Volume Two – 3.7.5.3(b) (new)

3.7.5.3(b) is the Volume Two equivalent of **Clause 3(b)(v)** of **Specification E2.2a**; refer explanation of **Clause 3(b)(v)**.

[Ends]