

EXTENT OF APPLICATION

RESPONSIBILITY FOR COMPLIANCE

Subject to the Exemptions listed below the Code shall apply to:

1. All areas of the public and private realm.
2. All new buildings.
3. Any alterations or additions to an existing building, the public and private realm that require DCCA approval.

All works shall be designed, constructed and maintained in accordance with the Performance Objectives of the Code.

Building owners, construction companies and those who are responsible for the procurement, design, construction and maintenance of buildings and public realm areas must ensure that the works comply with the Performance Objectives of the Code. If the building work does not comply with the Code an enforcement notice may be issued on the building owner by DCCA.

EXEMPTIONS

The Code shall not apply to individual private dwellings intended for occupation by a single family. The provisions of this Code shall not apply to any areas that would pose a health or safety risk to users. These areas include the following:

1. Process plants, equipment rooms and machinery spaces;
2. Loading docks.
3. Structures built for security, fire safety or life safety, e.g. guard towers, fire towers etc.
4. Construction sites and other sites directly associated with the process of construction.
5. Areas used for the storage of raw materials or produce or for bulk storage where:
 - a) The stored material is hazardous
 - b) The public is not permitted to enter.
6. Mezzanine floors used only for storage, plant and equipment.
7. Any route providing access only to an exempted area.

BUILDING WORK

For the purposes of the Code ‘building work’ is defined as:

1. The construction of publicly owned streets, pathways, rights of way, parks, publicly accessible open space and any public and civic buildings and facilities therein.
2. The erection or extension of a building and work within the building plot
3. The provision or extension of facilities covered by the Code.
4. The material alteration of a building or facilities covered by the Code.
5. Any additional works so defined from time to time by DCCA

For the purposes of the Code an alteration is material if the work or any part of it would at any stage result:

1. In a building or facility not complying with a relevant requirement where previously it did; or
2. In a building or facility which prior to the work did not comply with a relevant requirement being more unsatisfactory, in the opinion of the Authority, with respect to the requirement.

All building work must be carried out in such a way that when complete:

1. The works complies with the applicable requirements of the Code.
2. After work on a building, facility, external works or area of the public realm that complied with the Code the same still complies with the applicable requirements of the Code.
3. Works to existing buildings, facilities, external works or areas of the public realm that did not comply with the applicable requirements of the Code:
 - a) The work itself must comply with the applicable requirements of the Code.
 - b) The building, facility or area of the public realm must be no more unsatisfactory in relation to compliance with the applicable requirements of the Code than before the works were carried out.