

# **A GUIDE TO THE CONSTRUCTION AND MANAGEMENT OF A PUBLIC BUILDING**

**Forms 1, 2, 3 and 5 attached at end of document.**

This Guideline has been developed to provide owners and builders with information on the application and construction requirements of the *Health (Public Buildings) Regulations 1992*.

It should be remembered that this document is merely a guide for owners and builders of public buildings, based on current legislation, to assist in the establishment of a public building. The Shire's Health Services should be contacted for more specific details and you should liaise with your local Environmental Health Officer through planning to construction and beyond, saving you time and money.

**For further details, please contact:**

Health Services  
Shire of Northam  
395 Fitzgerald St  
PO Box 613 NORTHAM WA 6401  
Telephone: (08) 9622 6100  
Email: [records@northam.wa.gov.au](mailto:records@northam.wa.gov.au)

A copy of the **Health (Public Building) Regulations 1992** can be purchased from:

Western Australian Legislation via LitSupport  
Telephone: (08) 9215 7333  
E-mail [walegislation@timg.com](mailto:walegislation@timg.com)

A copy of the **National Construction Code** can be viewed online from:

Australian Building Codes Board  
Telephone: 1300 134 631  
E-mail [ncc@abcb.gov.au](mailto:ncc@abcb.gov.au)

A copy of **various Australian Standards** can be purchased from:

SAI Global  
Telephone: 131 242  
E-mail [sales@saiglobal.com](mailto:sales@saiglobal.com)

## APPLICATION REQUIREMENTS

Where public buildings are to be constructed, extended or altered and are subject to a normal building permit issued under the *Building Regulations 2012*, they are to be approved by the Shire of Northam.

Where public buildings are to be constructed, extended or altered and are not subject to a normal building permit issued under the *Building Regulations 2012* (ie change of use of existing building, Government buildings and temporary structures) they are to be approved under the *Health (Public Buildings) Regulations 1992*, subject to relevant Town Planning conditions.

### **COUNCIL REQUIREMENTS -**

Before the commencement of any development or the alteration or extension of any public building, the following Shire of Northam Departments should be contacted and approval obtained.

### **PLANNING SERVICES -**

Subject to a Planning Approval Application the suitability of your proposed business will be assessed (your chosen location), in relation to the zoning, amenity, parking requirements and any other relevant planning details.

### **BUILDING SERVICES -**

Building Services will approve plans based on structural integrity and advise on any special requirements. Submitted plans will be assessed and a building permit to commence building work must be obtained prior to work commencing.

### **HEALTH SERVICES -**

Health Services will approve plans based on compliance with the *Health (Public Building) Regulations 1992*. Before building, opening, altering or extending any public building, the Shire's Health Services must be advised and approval obtained. The premises must be issued with a Certificate of Approval (ie. Form 4) once they are constructed, altered or extended to requirements and prior to use by the public.

## POTENTIAL REQUIREMENTS OF OTHER AGENCIES

### **DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES -**

If alcohol is to be sold to the public, it is necessary to obtain the relevant licence from the Department of Local Government, Sport and Cultural Industries.

### **WATER CORPORATION & PLUMBERS LICENSING BOARD-**

All plumbing is to be carried out by a licensed plumber, in accordance with the associated Australian Standards and Local Laws.

### **DEPARTMENT OF WATER AND ENVIRONMENTAL REGULATION -**

Sound levels created shall not contravene provisions of the *Environmental Protection (Noise) Regulations 1997* and the *Environmental Protection Act 1986*.

Acoustic Consultants Report and management plans may be required by the Shire to demonstrate compliance with the *Environmental Protection Act 1986*.

### **WESTERN POWER -**

All electrical and gas fitting equipment should be approved by the relevant authorities and installed in accordance with the relevant regulations.

## DEFINITIONS –

**'Public Building'** means –

(a) a building or place or part of a building or place where persons may assemble for –

- civic, theatrical, social, political or religious purposes;
- educational purposes;
- entertainment, recreational or sporting purposes;
- business purposes; and

(b) any building, structure, tent, gallery, enclosure, platform or other place or any part of a building, structure, tent, gallery, enclosure, platform or other place in or on which numbers of persons are usually or occasionally assembled, but does not include a hospital.

Buildings that are typically examined and inspected as public buildings under the Health Act include:

- Amusement centre
- Billiards centres
- Business colleges
- Churches
- Cinemas
- Circuses
- Community centres, aged, youth etc.
- Concert halls
- Convention areas
- Dance premises
- Dog tracks
- Drive-in cinemas
- Enclosed sports grounds
- Entertainment centres
- Grandstands
- Halls
- Hotel entertainment areas
- Indoor sports courts
- Karaoke bars or restaurants (where entertainment is provided)
- Lecture theatres
- Local Authority civic centre
- Temporary structures (eg. Circus tents, concerts, shows)
- Lodge rooms
- Multipurpose recreation centres
- Nightclubs
- Open air temporary stand and stages
- Public swimming pools
- Races courses
- Reception lodges and reception areas to hotels
- Schools, private - school hostels, dormitories
- Show grounds
- Skating rinks
- Speedways (enclosed type)
- Sporting club buildings
- Taverns (where entertainment is provided)
- Temporary seating stands
- Theatres
- Trotting tracks
- Universities
- Youth Club buildings
- Children's Indoor Playgrounds
- Hotel beer gardens (enclosed)
- Pre-schools (operated by community organisation)
- Gymnasium (classes and group activities)

## STRUCTURAL / DESIGN REQUIREMENTS:-

### CONSTRUCTION – GENERAL –

Compliance with the National Construction Code (NCC) and the *Health (Public Buildings) Regulations 1992* is required. This includes construction, egress, fire hazard properties of internal finishes and fittings, fire safety, seating arrangements and other relevant details. The Shire's Building Surveyors should be consulted where a building permit is to be issued.

### MAXIMUM ACCOMMODATION -

The maximum number of persons permitted in a public building is set by a table in the *Health (Public Building) Regulations 1992* with limitations set by the following criteria:

- Floor area
- Exits
- Sanitary facilities
- Ventilation

### FLOOR AREA -

This includes the measured floor area (internal wall to wall) of the public building area, where members of the public assemble. It does not include lifts, stairs, ramps, escalators, corridors, hallways, lobbies, storerooms, service ducts, kitchens, stages, offices, sanitary compartments, DJ boxes and staff areas. Please note that the areas across and behind the bar are not included in the floor area for a public building.

### EXITS -

(a) Exits / egress must comply with the NCC (part D) and the associated regulations in the *Building Regulations 2012*.

(b) Exit doors are to swing in the direction of egress, unless otherwise approved or where sliding doors are permitted. Exits must not be obstructed.

(c) Generally, no point on the floor must be more than 20m from an exit or a point from which travel in different directions to two (2) exits is available, in which case the maximum distance to one of those exits must not exceed 40m. Other more specific requirements may apply in some public buildings.

(d) Where greater than fifty (50) persons are to be accommodated on any storey or mezzanine, two (2) exits shall be provided.

(e) Exit dimensions to be –

- not less than 2m height;
- where not more than one hundred (100) persons are accommodated, exit widths shall be not less than 1000mm wide;
- where a storey or mezzanine accommodates more than one hundred (100) persons but not more than two hundred (200) persons the aggregate unobstructed width, except for doorways must not be less than 1000mm plus 250 mm for each twenty five (25) persons in excess of one hundred (100);
- where more than two hundred (200) persons are accommodated, the exit width shall be 2m plus 500mm for every seventy five (75) persons in excess of two hundred (200). However, if egress involves a change in floor level by a stairway or ramp with gradient steeper than 1 in 12, the exit width shall be 2m plus 500mm for every sixty (60) persons in excess of two hundred (200).

## **SANITARY FACILITIES –**

Sanitary conveniences must comply with the NCC – Tables F4D4a-l & F4D5

## **VENTILATION -**

(a) Ventilation must comply with the NCC – Part F and the associated regulations in the *Building Regulations 2012*.

(b) Where natural ventilation is available, the building must comply with the NCC – Part F.

(c) Where a public building is mechanically ventilated, the system must be designed and installed to comply with AS1668.2.

(d) Public buildings using air-handling systems, such as evaporative air conditioners and cooling towers must be designed and installed in accordance with the AS3666.

NB: It is important that owners of commercial buildings using air-handling systems maintain these systems in accordance with Australian Standard 3666 so that public health is not jeopardised. Details of all maintenance performed and the name and signature of the person who has completed the work should be entered into a log book which must remain on the property at all times so it is readily accessible for verification.

(e) Where the ventilation of an occupied space in a public building is provided by an air conditioning system, the system shall be designed and installed so as to –

- Maintain the dry bulb temperature of air in the occupied space –
  - if a function of the system is to cool air, at not more than 27° Celsius; and
  - if a function of the system is to heat air, at not less than 19° Celsius.
- Maintain the dew point temperature of air in the occupied space at not more than 17° Celsius; and
- Distribute air evenly throughout the occupied space at any speed not exceeding 0.25 metres per second.

(f) In this regulation –

- A reference to an air conditioning system is a reference to equipment –
  - for the purpose of controlling; or
  - for purposes including the control of, the temperature of air in an occupied space, but is not a reference to evaporative cooling equipment; and

(g) A reference to an occupied space in a public building is a reference to any area usually occupied by people when the building is in use that is between a floor, 180cm above the floor, 60cm from walls adjacent to the floor and 60cm from fixed equipment that is or forms part of an air conditioning system.

## **ELECTRICAL WORK -**

Electrical work must comply with Part 4 of the *Health (Public Building) Regulations 1992* and Electrical Regulations and a licenced electrician must certify all work and submit a Form 5 (refer to attached form) to the Shire for approval.

## **SAFETY FEATURES, FITTINGS AND FACILITIES:-**

### **Seating Arrangements –**

(a) Except with the approval of the Shire of Northam all seats used for seating audiences in a public building shall be securely fixed to the floor, unless fastened together in lengths of not less than 2700mm;

(b) Where seats are arranged in regular rows, the seats shall be arranged so that:

(i) aisles are provided on both sides of every row of seats that exceeds 3.5m in length;

And

(ii) the number of seats in a row between aisles shall not exceed forty two (42) seats.

NB: A Structural Engineer's Certificate may be required by the Shire's Health Services for seating structures.

### **Aisles -**

(a) Every aisle shall have direct access to an exit;

(b) Any transverse aisle –

(i) shall be of uniform width; and

(ii) shall be on the same level and free from steps or obstructions.

### **Guard Rails and Balustrades -**

Adequate enclosing wall or guardrails to be provided around the edges of raised or tiered seating and at any change in level, which may present a hazard to the public. Generally, balustrades to be positioned 1000mm above floor level. Refer to NCC specifications for further details of balustrade dimensions and placing.

### **Handrails -**

Steps and landings to be provided with handrails on each side, unless the Shire of Northam otherwise approves. Generally, handrails to be positioned 865mm above floor level or nosing of the stair treads and a minimum of 50mm away from walls. Refer to NCC specifications for further details of handrail dimensions and placing.

### **Steps –**

Treads to be not less than 280mm wide and risers not to exceed 180 mm in height.

### **Exit Signs -**

(a) All public building designated exits are to be marked with an 'EXIT' sign that conforms with AS2293. This sign must be illuminated and contain a pictorial element.

(b) Where an exit or passage does not provide a clear means of egress from a public building, the exit or passage shall be marked with a "NO ESCAPE" sign in letters not less than 100mm high and 12mm wide.

(c) The outside of every public building exit that abuts on a road, thoroughfare, lane, passageway or right-of-way shall be fitted with an "EMERGENCY EXIT" sign in letters not less than 100mm high and 12mm wide. In areas where there is a tendency to park vehicles outside an exit door, it is suggested that bollards be installed.



**NB:** The occupier or person in charge of a public building must ensure that while the public building is open to the public –

- (i) all "Exit" signs are kept visible and illuminated; and
- (ii) all "No Escape" signs are kept visible.

#### **Door Latches -**

Locking devices, such as barrel bolts, pad bolts and hasp and staple bolts are not permitted, because of difficulty in maneuvering the latch in an emergency. Approved types of door latches, include automatic panic bolts and espagnolette bolts (see Appendix 1).

Exit doors in any public building that is intended to accommodate less than four hundred (400) persons other than cinemas, theatres and nightclubs shall be fitted with –

- (a) espagnolette central handle bolts;
- (b) automatic panic bolts;
- (c) strap bolts; or
- (d) other fittings approved by the Shire of Northam.

Exit doors in a cinema, theatre, nightclub or any public building that is intended to accommodate more than four hundred (400) persons shall be fitted with-

- (a) automatic panic bolts;
- (b) where the exit doors are double leafed, a rim lock or other type of lock on the second leaf, so that when the panic bolt is released on the first leaf both leaves open freely in the direction of egress; or
- (c) Such fittings as are approved by the Chief Health Officer.

#### **Use of Manually Operated Sliding Doors -**

Where the maximum occupancy of the public building exceeds fifty (50) persons manually operated sliding door(s) will not be permitted by the Shire of Northam. The Shire of Northam will generally not approve sliding doors in public buildings with a maximum accommodation of less than fifty (50) persons.

#### **LIGHTING :-**

General Lighting Requirements –

A general lighting system shall be provided throughout the inside of a public building which is separate from any theatrical, stage or special effects lighting. This system must have a minimum luminance of 40 lux with a general colour rendering of not less than Ra = 40 at floor level. Luminaires installed less than 2400mm from floor or ground level on which people normally stand need to be constructed so that bare lamps are not exposed and protection is provided against contact and accidental damage.

Switches controlling lighting in areas accessible to the public shall be located or protected so that the public cannot operate them. Where automatic control of lighting is provided a separate manual "ON" switch that overrides all automatic controls shall be provided.

### **External Lighting –**

The external areas of a public building shall be illuminated with a minimum luminance of 1 lux at ground level. Refer to External Lighting specifications Part 4 Division 1 of the *Health (Public Buildings) Regulations 1992*. The external areas of a public building must be illuminated at all times when the premise is open to the public during the hours of darkness.

The switches controlling external lighting shall not be located so as to be accessible to the public unless approved by the Chief Health Officer.

### **Emergency Lighting –**

Emergency lighting shall be provided in a public building in accordance with Building Regulations and Australian Standard 2293 – “Emergency Evacuation Lighting in Buildings” Part 1 and 2.

NB: It is a requirement of the Australian Standard 2293.2 that all emergency lighting and exit signs in public buildings be adequately tested and maintained. These systems are required to be tested at least every six (6) months by a qualified electrician and the details of testing, date and person responsible for the work, entered into a logbook. The logbook should also be located on the premises so it can be available for inspection upon request.

### **Safety Lighting –**

Any public building or any area of public building open to the public when normal lighting is dimmed or extinguished shall be provided with permanent effective safety lighting for:

- (a) foyers and passages;
- (b) floors that are ramped at an inclination steeper than 1 in 12;
- (c) main aisles between blocks of fixed seats;
- (d) the tread of each step.

The circuits of the safety lighting system and emergency lighting system shall be so aligned that in any case of failure in the safety lighting system the emergency lighting system in the area of the failure is automatically energised.

### **Lighting in Classrooms –**

Every classroom, lecture theatre, drawing room, laboratory, manual training room, assembly hall or any other teaching area shall be provided with an artificial lighting system capable of providing the illumination recommended in relation to such an area under AS1680 – “Code of Practice for Interior Lighting and the Visual Environment”. Luminaires in gymnasiums shall be designed and placed to provide protection against damage from normal activities in such an area.

### **Emergency Power Supply –**

Emergency power supply systems to lighting and exit signs shall comply with Sections 3 and 4 of AS2293.

### **General Electrical Requirements –**

Switches and wiring in public buildings shall conform to Australian Standards. A switchboard in a public building –

- (a) shall not be located at or near an emergency exit or any passage leading from an emergency exit;
- (b) shall be located in an area that is properly illuminated;
- (c) shall not be accessible to the public but readily accessible to persons authorised by the owner or occupier of the public building;
- (d) Shall be designed and constructed so that all wiring is enclosed in an approved case or surrounds and so that there is no exposure of live parts;
- (e) Shall be provided with schedules or labels to indicate clearly the function of each item of equipment mounted in the switchboard so as to define the appliance or area controlled by each subcircuit in the switchboard. Refer to Part 6 of the *Health (Public Building) Regulations 1992*.

### **Smoke Control Devices –**

Except where the Local Authority otherwise approves, a public building shall be provided with smoke control devices in accordance with the NCC and where the area of a public building is equal to or less than 500m<sup>2</sup>, the smoke control devices provided shall conform with the smoke control devices prescribed in relation to an area of 1000m<sup>2</sup> under the associated NCC specification.

### **Fires –**

A person shall not light, operate or maintain an open fire or an open heating apparatus of any kind, in a public building without the written approval of the Shire of Northam.

Portable gas appliances and cylinders must not be used in public buildings, as they are illegal and constitute a potential hazard to the public.

### **Stage Curtains –**

(a) Stage curtains in a public building shall be made of non-toxic fire retarding materials or shall be made fire retarded by a method approved by the Chief Health Officer; NB: After curtains have been dry-cleaned or washed, there is no guarantee that the fire retardant treatment still renders the curtain non-flammable.

(b) Decorative treatments in a public building that are not referred to in the NCC shall be made of non-toxic materials, unless the Shire of Northam approves.

NB: “non-toxic” includes non-toxic in any circumstances specified by the Chief Health Officer.

### **Evacuation Plans –**

An Emergency Evacuation Plan to be prepared and submitted to the Shire's Health Services prior to the opening of any high-risk public building. The plan is to comply with AS3745 "Emergency Control Organisations and Procedures for Buildings and the Fire and Emergency Services Authority requirements. The plan is to encompass all aspects of safe evacuation during an emergency, including co-ordination and directions for occupant escape communications, rescue and fire control procedures. It is recommended that a plan of the premises and a brief description of procedure, indicating exit routes, relevant telephone numbers (eg Fire and Emergency Services and Police Department), hazard area and fire fighting equipment be situated in key areas for staff to observe.

### **CERTIFICATE OF APPROVAL:-**

Application for a Certificate of Approval (Form 2) from the Shire is to be made when all relevant items have been complied with and prior to opening as a public building (refer to attached form).

## **CIRCUSES, TRAVELLING SHOWS, TENTS AND SIMILAR TEMPORARY**

### **STRUCTURES**

#### **Electricity Supply –**

- (a) Electrical installation in any area normally accessible to the public shall conform with Australian Standard 3002 – Electrical Installations – shows and carnivals;
- (b) Any switchboard or area used in connection with generating electricity shall not be accessible to public.

#### **Lighting –**

- (a) Where provision is made for dimming of general lighting or for general lighting to be switched "OFF", an override switch to switch "ON" instantaneously shall be provided in a position readily accessible to a person authorised by the occupier;
- (b) Any luminaire within reach of the public shall be protected from accidental damage or shall be an extra low voltage type robust for the purpose for which it is used.

#### **Emergency Lighting –**





- (a) Lighting from a central system supply shall be provided for any emergency lights and for exit signs;
- (b) Self-contained luminaires shall not be used to provide emergency lighting.

#### **Testing –**


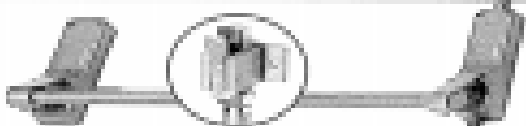

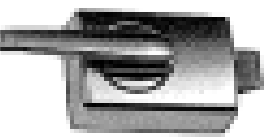

Testing of flexible cords, extension sets, portable outlet devices and residual current devices shall be undertaken in accordance with Clause 13 of AS3012 – Electrical Installations – Construction and Demolition Sites.

## APPENDIX ONE

**Figure 2 – Prohibited Door Latch Devices**

Cabin Hook	
Barrel Bolt	
Hasp and Staple	
Dead Lock	

**Figure 3 – Permitted Door Latch Devices**

Strap Bolt	
Panic Bar	
Espagnolette	
Automatic dead latch with lever escape	
Snib lock	

**PUBLIC BUILDING - Application to Construct, Extend or Alter.**

Form 1

HEALTH (MISCELLANEOUS PROVISIONS) ACT 1911

HEALTH (PUBLIC BUILDINGS) REGULATIONS 1992

I being the owner / agent hereby apply under Section 176 of the *Health (Miscellaneous Provisions) Act 1911* to construct, alter or extend a Public Building.

PREMISES DETAILS:	
Name:	
Location No:	
Street:	
Town/Suburb:	
Nearest Cross Street:	
Intentions for Use:	

In support of this application I hereby submit plans and detail as required together with the prescribed fee.

**ANY OF THE FOLLOWING MAY SIGN THIS NOTICE:**

The owner, occupier, manager, trustee or other person by whose authority such public building is intended to be built, created or converted thereto.

SIGNED:	
OWNER:	
ADDRESS:	
TELEPHONE:	
FAX:	
Email:	

Enc.

**APPLICATION FOR CERTIFICATE OF APPROVAL - for a PUBLIC BUILDING**

Form 2

Reg. 5

HEALTH (MISCELLANEOUS PROVISIONS) ACT 1911  
 HEALTH (PUBLIC BUILDINGS) REGULATIONS 1992

I being the owner / agent, hereby apply for a Certificate of Approval in respect of:-

PREMISES DETAILS:	
Name:	
Location No:	
Street:	
Town/Suburb:	
Nearest Cross Street:	
Construction/extension / alteration of which was completed on:	
In accord with your approval given on:	

SIGNED:	
OWNER:	
ADDRESS:	
TELEPHONE:	
FAX:	
Email:	

## APPLICATION FOR VARIATION OF CERTIFICATE OF APPROVAL

Form 3  
 (Reg. 9)

HEALTH (MISCELLANEOUS PROVISIONS) ACT 1911  
 HEALTH (PUBLIC BUILDINGS) REGULATIONS 1992

I being the owner / agent, hereby apply for a variation of certificate of approval in respect of:-

PREMISES DETAILS:	
Name:	
Location No:	
Street:	
Town/Suburb:	
Nearest Cross Street:	
Reason for this variation from the existing certificate of approval is:	
In support of the application, I tender the following details as required:-	

SIGNED:	
OWNER:	
ADDRESS:	
TELEPHONE:	
FAX:	
Email:	
Dated:	



## CERTIFICATE OF ELECTRICAL COMPLIANCE

Form 5

HEALTH (MISCELLANEOUS PROVISIONS) ACT 1911  
 HEALTH (PUBLIC BUILDINGS) REGULATIONS 1992

To: Shire of Northam

(date)

I hereby certify that the electric light and/or power – installation, alteration, addition – at the undermentioned premises has been carried out in accordance with the *Health (Public Buildings) Regulations 1992*.

Name and Initial of Occupier: \_\_\_\_\_

<b>DETAILS OF BUILDING:</b>	
Name:	
Location: Number:	
Street:	
Town/Suburb:	

<b>PARTICULARS OF INSTALLATION:</b>	
Is there any electrical work for which you are not responsible in these premises?	
<b>Signature</b> (Signature of licensed electrical contractor or Electrical worker authorised to sign on behalf of the electrical contractor)	
Contractor's in-house electrical installer's BUSINESS NAME:	
Contractor's in-house electrical installer's REGISTRATION NUMBER:	
Contractor's in-house electrical installer's ADDRESS:	
Contractor's in-house electrical installer's PHONE NUMBER	