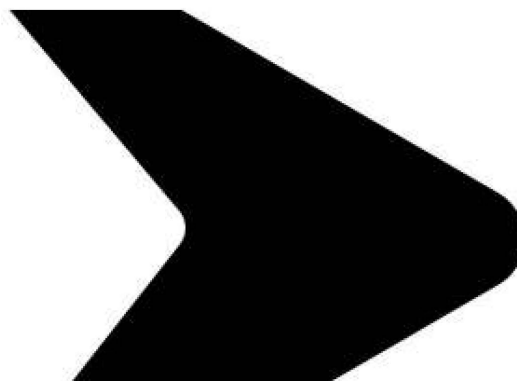




A message from the

Construction Occupations Registrar



Construction Note: 2026/04

June 2026

Construction notes have been developed to raise awareness and educate the building and construction industry about common issues identified on building sites and best practice approaches to address them.

The issues outlined in these notes have been identified through compliance assessment by Access Canberra, feedback from the community, legislative reform across the City and Environment Directorate. Importantly, we welcome your input, if you have come across an issue that needs clarification or to provide feedback **email us:** CAT@act.gov.au

Requirements for Bushfire Prone Blocks on ACT leased land

All Class 1 and Class 10a buildings or decks associated with Class 1 buildings identified in the [Planning Act 2023](#) must be built in line with the requirements for the specified Bushfire Attack Level (BAL) rating in AS 3959–2018.

How to determine if a block is a Bushfire Prone block

For Exempt Development

The Development Controls in relation to Bushfire Attack Level requirements for exempt development are set out in the '[Planning \(Exempt Development\) Single Dwelling Housing Development Control – District Declaration](#)' which are instruments in the [Planning \(Exempt Development\) Regulation 2023](#).

If the block is identified, the building work must be constructed in accordance with that (BAL) rating in AS 3959–2018. This control is mandatory for the block identified.

For development requiring Development Approval

The Technical Specifications in relation to Bushfire Attack Level requirements are set out in the [Planning \(District\) Technical Specification](#) which are instruments

under *Planning Act 2023*.

If the building work requires a DA:

- If the block **is** identified in the technical specification, the building work must be constructed in accordance with that BAL rating in AS 3959–2018, or must meet the outcomes of the Technical Specification
- The application may be referred to ACT Emergency Services Agency for their assessment and comments which may result in an approval, conditional approval, or further information being required
- The Notice of Decision may include a condition that a specific BAL rating is required, or that a site-specific BAL assessment report prepared by a suitably qualified bushfire consultant be undertaken and where bushfire protection measures have been identified these must be adopted.

If the block **is not** identified as requiring a specific BAL rating in either the Development controls or Technical Specifications, there is no requirement to comply with AS 3959–2018.

Building in Rural Areas

For building in rural areas (which is declared Bushfire Prone area for the purpose of AS3959) Bushfire risk assessment in accordance with the relevant standard will be required.

Minimum documentation requirements for building approval

The [Minimum documentation requirements for building approval lodgement class 1 and 10 – residential construction](#) and the [Building \(Minimum Documentation and Information for Building Approval Applications - Class 2-9 Buildings\) Guide 2019](#) outline the minimum requirements that are to be on the plans or to be provided in a separate document as part of the building approval. This includes weephole guards, roof cladding sealing requirements, exterior cladding requirements, window and glazing details.

Carrying out building work

All Building work must be carried out in accordance with [Building Act 2004](#), and must comply with National Construction Code (NCC) 2022, Australian Standards and the approved development.

Construction requirements for a building in a bushfire prone area and on a bushfire prone block

Construction in a bushfire prone area must comply with the relevant NCC provisions:

- [NCC 2022 – Volume 1 – Class 2 to 9 – Part G5 Construction in Bushfire Prone Areas](#)

- NCC 2022 - Volume 2 – Class 1 and 10 – Part H7 Ancillary provisions and additional construction requirements

Builder **must ensure** that all construction work, including building material, complies with relevant sections of the NCC and AS 39598. If you are unsure of the requirements, contact the appointed certifier for your development before commencing work. Certifiers are required to report non-compliant bushfire construction to the Registrar.

You have received this email from the ACT Construction Occupations Registrar as our records indicate you hold a current construction occupation licence to undertake work in the ACT building and construction industry. If you do not hold a current licence, or believe you have received this email in error, please email us at: cwpl@act.gov.au to be removed from future communications or to **unsubscribe**.