



Inquiry into Annual and Financial Reports 2023-24

Answer to question taken on notice

Asked by: MR ED COCKS MLA

Addressed to: Ms Gillian Geraghty, Director-General, Infrastructure Canberra

In relation to: CALLAM OFFICES

Hearing: 17 February 2025

Uncorrected Proof Transcript pp 32,33

Transcript provided: 24 February 2025

Answer Due: 3 March 2025

Ms Geraghty took on notice the following question:

Mr Cocks: Thank you. You mentioned with Callam Offices there are challenges with bringing it up to code. What code are you referring to?

Mr Rynehart: That would be related to the Building Code. So certainly if you undertake a significant amount of work in the building, you need to bring it up to the code of the day.

Mr Cocks: Because, of course, the Building Code that applies to a building, my understanding is that it is the Building Code that was in place when it was constructed, and of course there are provisions for if you are undertaking major renovation or changes. Are there no provisions in the Building Code for heritage listed buildings?

Mr Rynehart: That is not one I could answer directly. I think the comment around the—the comment around the cost of it is, as you mentioned, the undertaking of major refurbishment or works in the building you need to bring it to the code today standard.

Mr Cocks: So what is trigger? Whereabouts does that line lie in terms of maintenance of these buildings which heritage listed buildings quite often are at risk if maintenance is not undertaken? When does that actually kick in? I assume you have done some analysis in considering the future of Callam Offices.

Ms Geraghty: I might just—I think there is a number of issues in relation to Callam Offices. There is a Building Code issue; there is a maintenance issue; there is the fact that services need to be replaced. So there is a combination of issues that are required, not just the code issue.

Mr Cocks: Okay, so for example, does replacing a lift trigger the building code? Needing to meet the new building code?

Ms Geraghty: It is not my area of expertise, but we are happy to take it on notice and provide you with an explanation of that trigger.

Mr Cocks: Thank you. Yes.

MS RACHEL STEPHEN-SMITH MLA, MINISTER FOR THE PUBLIC SERVICE: The answer to the Member's question is as follows:

[The Building \(General\) Regulation 2008](#) outlines when compliance with the latest [Building Code of Australia](#) (BCA) is required. The following factors determine if Callam Offices must be upgraded:

Building Approval (BA) for new works – post 1 September 2022

- Any works requiring a BA under BCA 2022 must comply with modern standards.
- Minor works (e.g., repainting, replacing carpets) may be exempt under Schedule 1 of the [Building Regulation 2008](#).

Works that automatically trigger compliance upgrades

The following non-exempt works require compliance with BCA 2022:

- Structural modifications (e.g., load-bearing wall changes)
- Fire-rated walls, ceilings, or floors (e.g., fire compartmentation upgrades)
- Ventilation, air-handling, or fire protection systems (e.g., HVAC or sprinkler upgrades)
- Fire escapes, emergency lifts, stairways, exits, or exit pathways (e.g., stairwell modifications).
- Changes to natural light or ventilation (e.g., window modifications)
- Any alteration that reduces compliance below the minimum BCA requirements

Lift replacement

Lift replacement would likely trigger compliance upgrades, requiring:

- [Disability Discrimination Act 1992](#) (DDA)-compliant lift design (wider doors, accessible controls, emergency features).
- Fire safety compliance if the lift is part of an emergency evacuation strategy.
- Structural works (e.g., modifications to shaft dimensions, door widening).
- Mechanical and electrical system upgrades to meet current [National Construction Code](#) (NCC) and BCA standards.
- Plant registration and certification under current safety regulations.

Further, replacing a lift requires consideration of the substantial alterations or "50 per cent rule" under the *Building Regulation 2004*. This rule is triggered if more than 50 per cent of the building's floor area is altered, then full BCA compliance for the building is required. While a lift replacement itself would not meet the 50 per cent substantial alteration threshold, if combined with the other necessary upgrades that would be required to regulated areas such as fire safety systems, egress pathways and accessibility, then the cumulative impact on the building would likely trigger the 50 per cent rule.

As noted above, minor renovations (e.g., painting, internal partitioning) are unlikely to trigger full compliance.

Approved for circulation to the Standing Committee on Public Accounts and Administration

Signature:



Date:

6/3/25

By the Minister for the Public Service, Ms Rachel Stephen-Smith MLA