

FIRE SAFETY IN BUILDINGS

**OBLIGATIONS OF OWNERS
AND OCCUPIERS**



WORKING FOR A SAFER TASMANIA

fire safety in
buildings

*it's your
business!*

obligations
of owners
and occupiers

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TABLE OF CONTENTS

1	INTRODUCTION	3
1.1	Definitions	3
2	FIRE PROTECTION EQUIPMENT	4
2.1	Equipment Maintenance	4
2.2	Permit Holders	4
2.3	Permit Exemptions	5
3	ACCESS TO EQUIPMENT AND WATER SUPPLIES	5
3.1	Fire Protection Equipment	5
3.2	Water	5
4	EXITS, EXIT SIGNS AND LIGHTING	5
5	FLAMMABLE MATERIAL COVERINGS	6
6	PRECAUTIONS	6
6.1	Hot Work	6
6.2	Potential Fire	6
7	EVACUATIONS	6
7.1	Building Occupants	6
7.2	Evacuation Plan Requirements	6
7.3	Practice Evacuations	7
7.3.1	Exemptions for practice evacuations	7
7.4	Education and Training	7
8	PENALTIES	7
9	FURTHER INFORMATION	9

1 INTRODUCTION

This reference manual supports the brochure “Fire Safety in Buildings – It’s Your Business”. It provides additional information to owners, occupiers and users of many types of buildings in Tasmania about their obligations under the *General Fire Regulations 2000*. The regulations provide measures to help protect people in buildings from fire.

For specific details on these obligations, please refer to the *General Fire Regulations 2000* available through the Tasmania Fire Service web site at www.fire.tas.gov.au or from the Printing Authority of Tasmania on 6233 3168.

1.1 Definitions

A person	A building occupant, an employee of an occupant, a visitor or a contractor.
Fire protection equipment	Fire extinguishers, fire hose reels, fire hydrants, hydrant valves, fire blankets and fire protection systems such as automatic fire detection and alarm systems, automatic fire sprinkler systems and emergency warning and intercommunication systems.
Monitoring system	A system whereby smoke and heat alarms on a premises are monitored on other premises through the use of an electrical or electronic device.
Permit holder	The holder of a permit required by Section 128(1)(ba) of the <i>Fire Service Act 1979</i> , issued in accordance with the <i>General Fire Regulations 2000</i> and who is competent to perform the relevant work.
Plumber	A person registered under the <i>Plumbers and Gas-fitters Registration Act</i> and authorised to undertake a particular class of plumbing work.
Prescribed building	Any building that is a Class 2, Class 3, Class 5, Class 6, Class 7, Class 8 or Class 9 building as defined in the <i>Building Code of Australia</i> . These classes exclude private residential homes, some ‘bed and breakfast’ accommodation and outbuildings such as garden sheds and garages.

Specified building	<ul style="list-style-type: none">- a building capable of accommodating more than 200 persons, estimated in accordance with the <i>Building Code of Australia</i>;- a special fire hazard building or a building which presents or contains a special fire hazard;- a building providing residential accommodation as part of an educational institution, or medical psychiatric or geriatric care facility;- a school or early childhood centre;- a detention centre;- a healthcare building or a residential aged care building;- a hostel, boarding house, guesthouse, lodging house, backpacker accommodation or a residential part of a hotel or motel.
Temporary Occupant	A person who occupies a building for a period that is not intended to exceed 14 days.

2 FIRE PROTECTION EQUIPMENT

2.1 Equipment Maintenance

The owner of a prescribed building must make sure that all installed equipment is maintained, so that it performs to the standard to which it was originally designed.

The owner or occupier of a building, in which fire protection equipment is required to be installed, must:

- have the equipment tested, maintained and repaired by a permit holder; and
- keep a record of all testing and maintenance work carried out including the type, date and result of any test, the name of the person undertaking the test, the name and certification of the person carrying out any maintenance or repair, the date it was carried out and any maintenance or repair work required.

2.2 Permit Holders

All permit holders are obliged to service fire protection equipment in accordance with the Australian Standards. For systems such as automatic sprinkler systems, fixed fire detection systems etc. work must also be carried out in accordance with the Tasmania Fire Service 'Code of Practice – Fire Protection Systems'.

2.3 Permit Exemptions

A person may install a portable fire extinguisher, fire blanket or stand alone smoke and/or heat alarm not connected to a monitoring system, and replace batteries in these smoke and/or heat alarms, without a permit.

An authorised plumber may install, maintain and repair a fire hydrant or hydrant valve without a permit.

3 ACCESS TO EQUIPMENT AND WATER SUPPLIES

3.1 Fire Protection Equipment

The owner or occupier of a building must ensure that reasonable access by firefighters to any fire protection equipment or essential services is available in or on the grounds of:

- the building; or
- a place in which 3.2 (below) applies.

3.2 Water

An owner or occupier of the following must ensure that a suitable water supply for fire-fighting is available:

- a building, timber yard, yard or unfenced land, situated within a city or town boundary used for the storage of more than 10 tonnes of combustible material for commercial purposes;
- a wharf or nearby land used for the storage of goods in transit; or
- land used for the storage of hazardous and flammable material.

4 EXITS, EXIT SIGNS AND LIGHTING

The owner or occupier of a prescribed building must ensure:

- locking devices are not fitted on a door forming part of any required exit unless they comply with the Building Code of Australia (BCA) or have the approval of the Chief Officer of the Tasmania Fire Service;
- access to doors, corridors or fire escapes that form part of an emergency exit or exit route are not blocked, restricted or made narrow;
- exit signs and emergency lighting operate effectively and are clearly visible at all times; and
- ceilings, walls, floors and stairs of a fire exit, or path of travel to an exit, are only covered with materials that comply with the BCA.

5 FLAMMABLE MATERIAL COVERINGS

An occupier must not decorate a prescribed building with flammable materials in such quantity or in such a way as to constitute a fire hazard.

6 PRECAUTIONS

6.1 Hot Work

Hot work includes grinding, welding, thermal or oxygen cutting or heating, and other related heat-producing or spark-producing operations.

Before commencing hot work in a building, a person must:

- inform the owner or occupier of the building of their intention to carry out hot work; and
- perform all hot work in accordance with AS 1674.

6.2 Potential Fire

An occupier of a workplace where dust, gas or hazardous residue is produced that has the potential to form an explosive mixture, may prepare rules for persons within that workplace so as to minimise the chance of a fire or explosion and submit them to the Chief Officer for approval.

Where rules are approved by the Chief Officer of the Tasmania Fire Service, they must be clearly displayed in the workplace and all people within that workplace must comply with any directions contained in those rules.

7 EVACUATIONS

7.1 Building Occupants

A person must not fail to leave a specified building, in the event of fire, alarm of fire or evacuation practice, unless the person is engaged in fire fighting activities or is exempted under 7.3.1.

7.2 Evacuation Plan Requirements

The occupier of a specified building must ensure that:

- an evacuation plan is developed in accordance with AS 3745 and AS 4083 (if applicable) and approved by the Chief Officer of the Tasmania Fire Service;
- evacuation plans remain up-to-date. A new plan must be submitted when evacuation plans need to be adjusted due to building work or a change in the use or occupancy of the building. Where there has been no change, a plan must be re-submitted for approval every five years;

- relevant parts of the plan are kept posted at places in the building specified by the Chief Officer, such as foyers, stairways and assembly areas;
- a full copy of the plan is kept on site; and
- any evacuation of the building is carried out in accordance with the plan.

7.3 Practice Evacuations

After receiving in-principle approval for the plan, final approval is subject to a practice evacuation being successfully conducted in the presence of an officer of the Tasmania Fire Service. If the officer is not satisfied with the practice evacuation, the officer may require the occupier to repeat the practice.

Practice evacuations are to be performed at least once a year following final approval.

7.3.1 Exemptions relating to practice evacuations

The occupier may exempt specified persons from taking part in a practice evacuation if their work cannot be stopped such as where a business may suffer a significant loss or experience security problems. Exemptions should be made in consultation with the officer and resolved prior to a practice evacuation taking place.

7.4 Education and Training

All staff members involved in managing or conducting an evacuation must be thoroughly familiar with their roles and responsibilities. Relevant training shall be provided to each member according to their assigned role.

It is recommended that a recognised competency standard be used for training purposes. Personnel conducting the training shall have the necessary knowledge, skills and experience (competence) to meet training outcomes. AS 3745 outlines the requirements and typical training information.

8 PENALTIES

Offence	Maximum Number of Penalty Units <i>1 penalty unit = \$100</i>	Maximum Number of Penalty Units For Each Day the Offence Continues
Fire protection equipment is not maintained	52	1
An unqualified person tests, maintains and repairs equipment	10	1
No record is kept of tests on fire protection equipment after their maintenance or repair	10	1
Records are not kept in a manner that will preserve them in the event of fire	10	1
Access to fire fighting equipment or essential services is obstructed	26	1

Offence	Maximum Number of Penalty Units <i>1 penalty unit = \$100</i>	Maximum Number of Penalty Units For Each Day the Offence Continues
The door of a fire exit has a locking device which is not compliant with the Building Code of Australia (BCA)	26	1
Access to a door is blocked, narrowed or impeded	26	1
Exit signs and emergency lighting are not clearly visible or are not operational	52	1
An initial practice evacuation has not been carried out to gain final approval	26	1
The annual practice evacuation has not been carried out	26	1
A repeat of the practice evacuation was not carried out when the initial practice evacuation plan was not satisfactory	26	1
An evacuation plan has not been updated	10	1
A revised evacuation plan has not been submitted after a change in the use or occupancy of a building	26	1
A revised evacuation plan has not been submitted after building work	26	1
An evacuation plan has not been submitted after 5 years	26	1
The occupier does not maintain an evacuation plan approved by the Chief Officer	52	1
The occupier does not keep a copy of the plan or post it at places in the building specified by the Chief Officer	52	1
The occupier does not provide training to persons working or residing in the building	52	1
During a fire or alarm of fire the occupier does not carry out an evacuation according to the evacuation plan	52	1
A person, not engaged in fire fighting activities, fails to leave a building in the event of a fire or alarm of fire	10	
A person, not exempted, fails to leave a building during a practice evacuation	10	1
Approved rules for conduct in a potentially explosive industrial environment have not been displayed conspicuously in the workplace	52	1
A person contravenes or fails to comply with approved rules relating to a workplace which has a potentially explosive environment	52	1

Offence	Maximum Number of Penalty Units <i>1 penalty unit = \$100</i>	Maximum Number of Penalty Units For Each Day the Offence Continues
A building has been decorated with flammable materials in a hazardous manner	52	1
The walls, floor or stairs en route to an exit are covered with materials not compliant with the BCA	52	1
A person fails to inform the owner or occupier of hot work being carried out on the premises	52	1
The AS 1674 requirements for hot-work are not observed	52	1
A timber yard has no suitable water supply for fire-fighting as determined by the Chief Officer	52	1
A wharf and nearby land used for storage of goods in transit has no suitable water supply for fire-fighting as determined by the Chief Officer	52	1
Land used for storing hazardous, flammable or combustible material has no suitable water supply for fire-fighting as determined by the Chief Officer	52	1

9 FURTHER INFORMATION

The following Australian Standards are referenced by the *General Fire Regulations 2000* and the applicable sections are therefore enforceable:

- AS 1674 *Safety in welding and allied processes – fire precautions;*
- AS 3745 *Emergency control organization and procedures for buildings, structures and workplaces;* and
- AS 4083 *Planning for emergencies – Health care facilities.*

These are available from Standards Australia (telephone 1300 654 646).

For general enquiries, call the Tasmania Fire Service fire safety information line on 1800 000 699.

To down load this information, go to the Tasmania Fire Service web site at www.fire.tas.gov.au then – about the Fire Service – Community Fire Safety.