

FIRE SAFETY IN DISTILLERIES AND BOND STORES

A fire safety guideline for referral of
distilleries and bond stores to
Tasmania Fire Service

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1. Introduction

The Tasmanian distillery industry has experienced significant growth in recent years and represents a diverse and expanding segment of the state's manufacturing sector. This growth is expected to continue, with increasing levels of production, employment, and investment.

This guideline is developed pursuant of Section 10(4) of the *Fire Service Act 1979*, it outlines the position of the Tasmania Fire Service (TFS) on the minimum fire safety requirements for distilleries and bond stores, with the aim of achieving an appropriate level of safety for both building occupants and firefighters.

It summarises the statutory requirements for building surveyors to refer relevant developments to TFS for comment and specifies the minimum information to be provided in support of such referrals. The guideline establishes a consistent approach to referrals under Regulations 26A and 27 of the *Building Regulations 2016*, informed by subsequent investigations into fire safety within distilleries and bond stores across Tasmania.

This document is intended for use by building professionals responsible for the design and documentation of distilleries and bond stores, as well as building surveyors responsible for the referral, assessment, and regulation of these building works.

2. Laws and regulations

All proposed building work must comply with the *Building Act 2016* and all associated legislative and regulatory instruments made under that Act, including regulations, determinations, guidelines, codes, and relevant standards. This includes compliance with applicable fire safety and bushfire protection provisions.

Existing building work, or changes in occupancy, that have not been undertaken in accordance with the requirements of the *Building Act 2016* may be subject to enforcement action by the Permit Authority under Part 18 of the Act. In such cases, it is likely that the works will need to be referred to the Tasmania Fire Service (TFS) as part of a post-construction approval process.

3. National Construction Code

Section 11 of the *Building Act 2016* requires that all building work complies with the Act and the applicable provisions of the *National Construction Code (NCC)*.

The NCC includes specific performance requirements for special hazards, notably:

- E1D17 – Provision for special hazards (materials and water supply), and
- E2D21 – Provision for special hazards (smoke hazards).

While these provisions are performance-based and not prescriptive, the Tasmanian Appendix (Footnote: *Other legislation affecting buildings*) identifies the *Work Health*

and Safety Act 2012 and the *Code of Practice – Managing Risks of Hazardous Chemicals in the Workplace* (WorkSafe Tasmania publication CP120) as relevant supporting instruments.

Code of Practice CP120 references AS 1940:2017 *The storage and handling of flammable and combustible liquids*, which aims to promote the safety of persons where flammable or combustible liquids are stored or handled. This Standard specifically includes provisions relevant to distilleries.

The Tasmania Fire Service (TFS) has adopted the position that AS 1940:2017 is the appropriate standard for addressing the requirements of NCC Parts E1D17 and E2D21 in this context.

Where deviations from this approach are proposed, TFS must be consulted during the development of the fire safety strategy. In such cases, TFS considers the performance-based assessment process outlined in NCC Clause A2G2 to be appropriate.

4. Australian Standards

4.1 AS 1940:2017 Storage and handling of flammable and combustible liquids

‘AS 1940:2017 report’ or ‘Dangerous goods report’

AS 1940:2017 specifies the minimum acceptable safety requirements for storage facilities, operational procedures, and fire protection measures associated with flammable and combustible liquids.

The Tasmania Fire Service (TFS) has adopted the position that an ‘AS 1940:2017 report’, or ‘Dangerous Goods report’, should be prepared to support the design process. This report should be prepared by a suitably qualified consultant with expertise in flammable substances, gas dispersion and ventilation, and a sound understanding of the relevant industrial processes.

4.2 AS/NZS IEC 60079.10.1:2022 Explosive atmospheres – Classification of areas

Clause 2.3.3 of AS 1940:2017 requires reference to AS/NZS IEC 60079.10.1:2022 for hazardous area classification where quantities of flammable liquids exceed relatively small volumes.

AS/NZS IEC 60079.10.1:2022 sets out the requirements for classifying areas in which flammable vapours may be present, creating a potential ignition hazard. It supports the safe design, construction, operation, and maintenance of equipment installed in hazardous areas.

Hazardous area classification is undertaken to determine the extent and classification of zones where specific hazard controls are required. Even relatively small quantities

of flammable liquids may necessitate assessment. This classification must be carried out by a person with appropriate training, qualifications, and experience.

5. Special fire hazard premises

Regulation 3 Interpretation of the *Building Regulations 2016* defines distilleries as special fire hazard premises. While bond stores are not explicitly identified as special fire hazard premises under the Regulations, Tasmania Fire Service (TFS) has adopted the position that bond stores align with paragraph (a) of the definition:

“a building in which one or more fire hazard material is used as a principal material for, or in connection with, the processing, making... of a commodity, good, substance or article.”

Special fire hazard premises present a challenging operational environment for firefighters. These facilities often necessitate additional resources, enhanced fire protection measures, or specialist equipment to support firefighting operations and to ensure a high level of firefighter safety.

Regulation 3 further defines fire hazard material as:

“a material determined by the Director of Building Control to be a fire hazard for the purposes of these regulations.”

The Special Fire Hazard Materials Determination specifically identifies flammable gases and liquids as posing a special fire hazard within such premises. Accordingly, alcoholic liquids stored or processed at flammable concentrations are classified as special fire hazard materials.

5.1 Warehouses

Warehouses are not typically approved based on storing fire hazard materials as a primary use. However, the Tasmania Fire Service (TFS) is aware that many warehouse facilities are being utilised for the bulk storage of alcohol.

Where a warehouse is currently used, or proposed to be used for alcohol storage, a building surveyor must be consulted to confirm whether the existing Occupancy Permit remains valid and appropriate for that use.

5.2 Expansion of existing operations

Premises that involve special fire hazards require professional assessment of the type, concentration, and volume of hazardous materials present. When planning to expand distillery operations or increase storage capacity, appropriate advice should be obtained prior to commencing any planning or building works.

Any increase in the processing or storage of fire hazard materials must be assessed against the conditions of the existing Occupancy Permit. A building surveyor should be engaged to determine whether the permit remains suitable or if amendments are required.

6. Reports from the Chief Officer

5.1 Chief Officer Report (Form 47)

Regulations 26A and 27 of the *Building Regulations 2016* require a building surveyor to obtain a report from the Chief Officer where building work involves the addition, alteration, or removal of fire safety measures.

To facilitate this, the building surveyor must submit a Request for Report from Chief Officer (Form 41), together with any relevant drawings, specifications, and supporting documentation (refer to Appendix A – Building Surveyor Checklist).

The Chief Officer's report provides an opinion on whether the proposed deemed-to-satisfy solutions and/or performance solutions are operationally suitable and meet the relevant performance requirements of the National Construction Code. This report must be considered when issuing a Certificate of Likely Compliance.

5.2 Chief Officer Occupancy Report (Form 48)

Regulation 67 of the *Building Regulations 2016* requires a building surveyor to obtain a Chief Officer Occupancy Report as part of an application for an Occupancy Permit, where a Chief Officer Report was required during the earlier assessment process.

This report includes:

- An assessment of the operational suitability of installed fire safety systems
- Confirmation of whether a fire evacuation plan has been approved in principle
- Any other matters the Chief Officer considers relevant to the safe occupancy of the building

These matters must be considered by the building surveyor when determining whether to issue an Occupancy Permit.

5.3 Fire evacuation plans

Regulation 20 of the *General Fire Regulations 2021* requires that an approved fire evacuation plan be in place for all specified buildings. Under Regulation 5(1)(n), a specified building includes special fire hazard premises as defined in the Building Regulations.

In addition, AS 1940:2017 (Section 10 – Emergency Management) outlines specific emergency planning considerations for distilleries and bonded storage facilities.

An evacuation plan must be approved in principle prior to the issue of an Occupancy Permit. Further guidance is available via the Tasmania Fire Service (TFS) [TFS website](#).

7. Bushfire prone area requirements

Additional requirements apply to use and development located in a designated 'bushfire-prone area'.

Approximately 98% of Tasmania's land area is within a designated bushfire-prone area. To verify whether a site is within (or partially within) a bushfire-prone area, refer to the relevant bushfire-prone areas overlay¹.

The applicable requirements include:

- *Bushfire-Prone Areas Code* (in both the *Tasmanian Planning Scheme* and the remaining interim planning schemes).
- Either the *Director's Determination – Bushfire Hazard Areas* or the *Director's Determination – Requirements for Buildings in Bushfire-Prone Areas* (depending on the municipality has adopted the Tasmanian Planning Scheme or is still under the Interim Planning Scheme).

A distillery will ordinarily be assessed as a 'hazardous use' for the purposes of the Bushfire-Prone Areas Code. This means that bushfire must be considered at the planning approvals stage of the process.

A distillery or bond store located in a bushfire-prone area must be supported by a planning application (where applicable) containing:

- A Bushfire Hazard Report;
- A certified Bushfire Hazard Management Plan (BHMP);
- An approved Bushfire Emergency Strategy.

A distillery located in a bushfire-prone area must be supported by a Certificate of Likely Compliance referring to:

- A Bushfire Hazard Report;
- A certified Bushfire Hazard Management Plan (BHMP);
- An approved Bushfire Emergency Plan.

The BHMP will demonstrate how the proposal will conform to minimum specifications for access, water supplies, hazard management areas, emergency planning and (in some cases) construction. It must be certified by a TFS accredited bushfire hazard practitioner.

A Bushfire Emergency Strategy/Plan must be approved by the Tasmania Fire Service. These provide for the safe movement of staff and visitors from the site in the event of a bushfire impacting the area.

¹ Each planning scheme includes a bushfire-prone areas overlay for their respective municipality.

8. Documenting decisions and outcomes

Navigating the building planning and approvals process can be complex and requires appropriate expertise. When seeking advice or making decisions that may impact approvals or compliance, it is recommended that all guidance is obtained in writing and properly documented to ensure clarity, accountability, and future reference.

9. References

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10. Appendix A – Building Surveyor Checklist

Appendix A - Building Surveyor Checklist		
Referral of Distilleries or Bond Stores for report from the Chief Officer		
Item 1	AS 1940:2017 Report (Dangerous Goods Report)	Yes ☐ N/A ☐
	Note Proponents of building works are strongly encouraged to commission an AS 1940 Report. This Report will impact the design of the works and fire services to be provided. Competence of personnel Reports must be prepared by competent persons such as fire, risk, process, fire safety and fire services engineers, or consulting building surveyors with appropriate levels of occupational licensing/accreditation and experience.	
Item 2	Manifest	Yes ☐ N/A ☐
	Note A manifest detailing the anticipated volume and concentrations of hazardous liquids to be stored or handled is mandatory. Competence of personnel As above.	
Item 3	Hazardous Area Classification	Yes ☐ N/A ☐
	Note A hazardous area classification is mandatory if the volume of flammable liquids exceeds volumes specified in AS 1940:2017 s.2.3.3. Competence of personnel The hazardous area classification must be carried out by competent persons as detailed at AS/NZS 60079.10.1 s.4.6	
Item 4	Architectural/Building Design	Yes ☐ N/A ☐
	Note All relevant requirements of the AS 1940:2017 Report and hazardous area classification are required to be detailed in the architectural/building design and supporting documentation. Competence of personnel In accordance with the Occupational Licensing (Building Services work) Determination.	
Item 5	Fire Protection Services Engineering	Yes ☐ N/A ☐
	Note Fire protection services engineering includes design, installation, and maintenance of active and passive fire and life safety systems. Competence of personnel In accordance with the Occupational Licensing (Building Services work) Determination.	
Item 6	Civil Engineering:	Yes ☐ N/A ☐
	Note Civil engineering includes the design of emergency vehicle access. There are additional requirements in bushfire-prone areas. Competence of personnel In accordance with the Occupational Licensing (Building Services work) Determination.	

Item 7	Hydraulic Engineering	Yes ☐ N/A ☐
	Note Hydraulic engineering includes the design of firefighting water supplies, fire mains and fire hydrants. There are additional requirements in bushfire-prone areas. Competence of personnel In accordance with the Occupational Licensing (Building Services work) Determination.	
Item 8	Electrical Engineering	Yes ☐ N/A ☐
	Note Electrical engineering includes the design of electrical installations in hazardous areas. Competence of personnel This is a specialist area of expertise, care should be taken to ensure that persons engaged to undertake design have appropriate levels of occupational licensing/accreditation and experience with AS/NZS 60079.10.1.	
Item 9	Mechanical Engineering	Yes ☐ N/A ☐
	Note Mechanical engineering includes the design of air handling systems, smoke and heat venting, smoke exhaust and air exchange required by AS 1940:2017 and AS/NZS 60079.10.1. Competence of personnel In accordance with the Occupational Licensing (Building Services work) Determination.	
Item 10	Bushfire Hazard Report	Yes ☐ N/A ☐
	Note The report will need to address compliance with the Bushfire-Prone Areas Code and the applicable Director's Determination. Competence of personnel In accordance with the Chief Officer's Scheme for the Accreditation of Bushfire Hazard Practitioners.	
Item 11	Bushfire Hazard Management Plan	Yes ☐ N/A ☐
	Note The Bushfire Hazard Management Plan (BHMP) must be certified by an accredited bushfire hazard practitioner. Competence of personnel In accordance with the Chief Officer's Scheme for the Accreditation of Bushfire Hazard Practitioners.	
Item 12	Bushfire Emergency Plan	Yes ☐ N/A ☐
	Note The Bushfire Emergency Plan (BEP) must be prepared in accordance with TFS's Bushfire Emergency Planning Guidelines. Competence of personnel The BEP may be prepared by anyone capable of applying the template documents although normally it is the bushfire hazard practitioner. The BEP must be approved by TFS for compliance purposes.	
Item 13	Fire Evacuation Plan	Yes ☐ N/A ☐
	Note Fire evacuation plans are not mandatory at referral stage but are required prior to occupancy of the building works. This is often overlooked and can cause delays. Competence of personnel Fire evacuation plans must be prepared by a competent person.	

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