



Building Newsflash

COMPLIANCE INSPECTIONS IN BUDGET ACCOMMODATION BUILDINGS

Purpose

The purpose of this Building Newsflash is to assist local council inspectors in conducting compliance inspections in budget accommodation buildings (BABs), with respect to certificates of installation for various fire safety installations.

Background

A joint inspection program of pre-1992 BABs, involving council and Queensland Fire and Rescue Service (QFRS) Officers, is underway. Several councils have requested clarification regarding the need for certificates of installation for various fire safety installations.

Legislation

Building Act 1975

Section 12C provides that a *Fire Safety Standard* may be prescribed by regulation.

Section 12H applies the *Fire Safety Standard* to pre 1992 BABs, making owners responsible for ensuring their building complies.

Standard Building Regulation 1993

Section 4 (1) specifies that all building work is to be assessed against the *Standard Building Regulation 1993* other than building work that is self assessable or exempt development.

Section 83A prescribes Part 14 of the Queensland Development Code (QDC) as the *Fire Safety Standard*.

Schedule 5, Section 6, describes smoke alarms, emergency lighting and minor work as self assessable development. Installation of fire extinguishers and internally illuminated exit signs are relevant examples of minor work.

Fire Safety Standard

A1 - A11 of the standard require a range of fire safety installations and features to be installed where an owner uses acceptable solutions to comply.

Interpretation

The *Building Act 1975* does not require BAB owners to produce certificates of installation for self assessable work, although some council officers have requested certificates to confirm that installation work has been correctly performed. This work may have been carried out years previously and installation certificates may not be available. Where owners are unable or unwilling to provide certificates of installation for smoke alarms, emergency lighting or other minor work, compliance inspections should be based on a visual inspection and records of maintenance showing installations are tested and maintained to the relevant Australian Standard by a competent person. QDC Part 14 Compliance Certificates may be modified to reflect that the compliance advice is based on a visual inspection and information provided by the owner or occupier.

Existing fire safety features that would have required building approval, such as fire hose reels or 1670.1 smoke detection systems, should have had installations certified by an appropriately qualified person during approval and inspection processes.

For works that have not been approved, council officers should consider the appropriate enforcement action based on safety concerns and the available evidence. Where fire safety features are tested and maintained to the relevant Australian Standard this may assist council officers in deciding if any remedial action is required. Council officers may exercise discretion to accept safe compliant work based on the evidence available or they may issue show cause or enforcement notices as appropriate. Breaches may also be prosecuted within limitation periods.

For further information see the Fire Safety Standard Guidelines on www.lgp.qld.gov.au/firesafety or call 1800682021.

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