



Queensland Development Code Mandatory Part 6.1 Commissioning and maintenance of fire safety installation

Guideline

A guide to assist with achieving compliance
with the *Building Act 1975* and the Building Fire
Safety Regulation 2008

December 2011

Looking forward and delivering now—integrated planning, strong local government and development for a growing state.

© State of Queensland. Published by the Department of Local Government and Planning, December 2011, 100 George Street, Brisbane Qld 4000.

The Queensland Government supports and encourages the dissemination and exchange of information. However, copyright protects this publication. The State of Queensland has no objection to this material being reproduced, made available online or electronically but only if it is recognised as the owner of the copyright and this material remains unaltered. Copyright inquiries about this publication should be directed to the department's Legal Services division via email copyright@dlgp.qld.gov.au or in writing to PO Box 15009, City East, Queensland 4002.

The Queensland Government is committed to providing accessible services to Queenslanders of all cultural and linguistic backgrounds. If you have difficulty understanding this publication and need a translator, please call the Translating and Interpreting Service (TIS National) on 131 450 and ask them to telephone the Queensland Department of Local Government and Planning on 07 3227 8548.

Disclaimer: While every care has been taken in preparing this publication, the State of Queensland accepts no responsibility for decisions or actions taken as a result of any data, information, statement or advice, expressed or implied, contained within. To the best of our knowledge, the content was correct at the time of publishing.

Any references to legislation are not an interpretation of the law. They are to be used as a guide only. The information in this publication is general and does not take into account individual circumstances or situations. Where appropriate, independent legal advice should be sought.



Contents

Preamble	2
1. Purpose	3
2. Background	4
3. Who can carry out commissioning or maintenance?.....	7
4. Maintenance of existing buildings.....	8
5. Alternative solutions	10
6. Frequency of testing for selected passive fire safety installations	11
6.1 Fire doors	11
6.2 Common defects of fire doors	12
7. Asbestos in fire doors.....	14
8. Battery operated fire alarms	15
9. Changing standards	16
10. The occupier’s statement.....	17
11. Buildings with several tenancies	18
12. Keeping records safe	20
13. Critical defect notices	21
14. Body corporate obligations	22
15. Fire blankets	23
16. Legislation	24



Preamble

Building fire safety maintenance standards were transferred from the Building Fire Safety Regulation 2008 (BFSR) into the Queensland Development Code (QDC). Standards for the maintenance of fire safety installations are now contained in Mandatory Part (MP) 6.1—Commissioning and maintenance of fire safety installations.

MP 6.1 has been developed to set appropriate performance standards for both commissioning and maintenance of prescribed fire safety installations for the safe occupation of buildings and to specify the records that are required.

This guideline is issued under section 258 of the Building Act 1975 (the Act). Section 258 allows for guidelines to be made to ensure compliance with the Act.

Because the appropriately qualified person who maintains a prescribed fire safety installation is a licensee who is either licensed by the Plumbing Industry Council or the Queensland Building Services Authority, the requirements surrounding licensing must be met as set out in the Plumbing and Drainage Act 2002; and Queensland Building Services Authority Act 1991.



1. Purpose

The purpose of this guideline is to assist building owners and occupiers to understand obligations for complying with the relevant Acts and Regulations for fire safety installations.



2. Background

State legislation relating to the maintenance of fire safety installations for buildings was introduced in Queensland in 1992 in the Building Fire Safety Regulation 1991 (BFSR now repealed). The Queensland Development Code (QDC) contains maintenance standards which have been transferred from the BFSR. The QDC has recently included standards for commissioning of water-based fire safety installations. The penalties for failure to comply with MP 6.1 remain in the *Building Act 1975*, the Fire and Rescue Act 1990 (FRA) and the BFSR. All include significant monetary penalties and potentially jail terms if death or injury occurs due to failure to maintain a building's fire safety features.

MP 6.1 applies to maintenance of fire safety installations required for a building other than:

- a class 1a building;
- a class 10 building associated with a class 1a building;
- a building treated as part of a coal mine for the purposes of the *Coal Mining Safety and Health Act 1999* or as part of a mine for the purposes of the *Mining and Quarrying Safety and Health Act 1999*; and
- for the commissioning of fire safety installations required for a building other than a class 1a building; or a class 10 building associated with a class 1a building.

Note:

1. For additional requirements in relation to the maintenance of fire safety installations, see the Building Fire Safety Regulation 2008.
2. For additional requirements in relation to the commissioning of fire safety installations, see the *Building Act 1975* and the BCA, E1.

Prescribed fire safety installations are services and equipment required by the Act to safeguard occupants from illness or injury while evacuating during a fire and to provide facilities for occupants and Queensland Fire and Rescue Service (QFRS) to undertake fire-fighting operations.

These installations can also prevent the spread of fire between floors or compartments of a building. If you have a prescribed fire safety installation in your building you must comply with the code. Additional requirements to comply with a testing procedure and record results on an approved form also exist for water-based fire safety installations (a subset of prescribed fire safety installations).

Furthermore, it is important to understand how you can identify if your building has prescribed fire safety installations. If your building has any of the fire safety installations that are prescribed and listed below then you must comply with the code.

Fire protection systems:

- air-handling systems



- fire detection and alarm systems
- smoke and heat venting systems
- smoke exhaust systems
- special automatic fire suppression systems (including foam, deluge and gas flooding systems)
- sprinklers (including wall-wetting sprinklers)
- stairwell pressurisation systems.

Fire fighting equipment:

- fire extinguishers (portable)
- fire hose reels
- fire hydrants (including hydrant boosters)
- fire mains.

Occupant safety features:

- emergency lifts
- emergency lighting
- emergency power supply
- emergency warning and intercommunication systems
- exit door hardware
- exit signs
- fire doors
- smoke proof doors
- solid core doors.

Other features:

- services provided under conditions imposed under section 79 of the Building Act 1975
- services required under the Building Code of Australia (BCA), clause E1.10
- features required as part of a building's alternative solution
- vehicular access for large isolated buildings.

If you are unsure of whether your building has any of the above systems, you should look at the plans and specifications which were approved as part of the building's approval. The building owner should have a copy of these plans and the building's Certificate of Classification. Alternatively, the local government should have a copy of the building's approval records in their files. Where records are not available, you should contact a building certifier or your local government to confirm the requirements for your building. A building certifier will be able to identify your building's classification and by using the date of approval and the applicable legislation and codes, the prescribed fire safety installation can be ascertained.

Please note that the expression 'test' is used in this guideline to include any of the relevant 'inspections' and 'maintenance' of the prescribed fire safety installations and



the procedure used to confirm the fire safety installation complies with the specified requirements for acceptability.

It is a requirement of the Building Fire Safety Regulation 2008 that the occupier of a building must ensure that the maintenance of each prescribed fire safety installation for the building is carried out by an appropriately qualified person.



3. Who can carry out commissioning or maintenance?

Additionally, for commissioning, the inspecting and testing of newly installed water-based fire safety installations must be carried out by an appropriately qualified person.

An appropriately qualified person can only carry out commissioning or maintenance on a prescribed fire safety installation if they are licensed to do the work by the Queensland Building Services Authority (QBSA) or the Plumbing Industry Council (PIC).

For example, a plumber who is licensed by the PIC to work on fire hydrant or fire sprinkler systems is not authorised to do work on air handling systems unless they also hold the relevant licence from the QBSA.

From 1 January 2012, it is a mandatory requirement under MP 6.1 that an appropriately qualified person carrying out commissioning or maintenance of a fire hydrant or fire sprinkler system using a McCrometer must:

- carry out the commissioning or maintenance in compliance with the document called 'Fire hydrant and sprinkler system commissioning and periodic test procedure' published by the Department of Local Government and Planning
- record the water pressure and flow testing results using the approved form (Form 70) and in accordance with all relevant Australian Standards.

The procedure and Form 70 can be downloaded from the department's website www.dlgp.qld.gov.au

When a building occupier arranges for maintenance to be undertaken, the appropriately qualified person (i.e. licensed contractor) must be advised of the age of the building and provided with copies of the approved plans and Certificate of Classification, so that the appropriately qualified person has an understanding of the building's construction and the legislation that applies.

For information on the different licences required for maintenance of fire safety installations please contact the Queensland Building Services Authority on 1300 272 272 or www.bsa.qld.gov.au or for occupational licensing requirements the Plumbing Industry Council on 1800 682 021 or www.dlgp.qld.gov.au



4. Maintenance of existing buildings

Prior to the introduction of MP 6.1, buildings other than class 1a and class 10 were to be maintained against Australian Standard (AS) 1851–2005 Maintenance of fire protection systems and equipment. MP 6.1 allows occupiers to choose from a range of specified standards and this allows for a more flexible regime for maintaining older buildings.

Fire safety installations must be capable of performing to a standard no less than that which they were originally required to achieve. This means that an occupier of a building that was constructed after 12 September 2005 must ensure the building is maintained against:

- AS 1851–2005 for prescribed fire safety installations other than passive fire safety installations, fire blankets and emergency lighting
- Schedule 1 of MP 6.1 for fire-doors, smoke doors and fire shutters
- AS/NZS 2293.2–1995 Emergency evacuation lighting for buildings—Inspection and maintenance for emergency lighting
- an alternative solution that specifies maintenance requirements which are inconsistent with the above standards.
-

If a building was constructed before 12 September 2005, the building occupier has the following options to comply with the code:

- comply with the maintenance requirements of AS 1851–2005 and schedule 1 of the QDC
- comply with the maintenance requirements of a relevant Australia Standard which was applicable on the day the building was approved
- where there was no Australian Standard for maintenance at the time of building approval, then recommendations from an appropriately qualified person to carry out maintenance must be followed.

Occupiers must make a decision about the Australian Standard that they are going to reference for maintaining the building. This standard should be identified and recorded in the building's yearly occupier's statement so that everyone involved in the maintenance of the building is aware of the standard that is being applied.

Industry workers are likely to be most familiar with the latest Australian Standards for maintenance, therefore if the latest Australian Standard has not been identified as the standard for maintenance, it is recommended that the occupier keeps a copy of the older standard available in the building for licensed contractors to use.

Australian Standards are published by SAI Global. To purchase a standard please contact SAI Global on 131 242 or www.saiglobal.com/shop



Example 1

Palmview Apartment building was constructed in 1994 and has a fire hydrant system. The body corporate, being the occupier, has chosen to maintain the building's fire hydrants against AS 1851.4–1992 Maintenance of fire protection systems—fire hydrants, because this was the Australian Standard applicable on the day the building was approved. In this instance, the body corporate would be required to complete the full six-year cycle of maintenance on the system before they could change the standard being applied to the system.

Example 2

Cityside Place is an office building which was approved for construction in 2007. Cityside Place has an automatic fire sprinkler system. As the building was approved for construction after 12 September 2005, the sprinkler system is maintained in compliance with AS 1851–2005.

Example 3

Country Inn Hotel was constructed in 1953 and has three prescribed fire doors installed. At the time of construction there were no maintenance standards for fire doors. A licensed contractor who specialises in fire door maintenance has been engaged to determine how the fire doors can be tested and maintained. The licensed contractor has developed a maintenance regime which is similar to the requirements of AS 1851–2005 which they consider as adequate to maintain the performance of:

- door hardware including self-closing mechanisms and hinges
- door leaves—general delamination, buckling, warping, bowing, twisting or damage
- gaps between the door and the door frame.

Following the licensed contractor's recommendations will mean the occupier complies with the commissioning and maintenance code.



5. Alternative solutions

Some buildings have been constructed using an alternative solution to meet the performance criteria of the National Construction Code (NCC) Volume 1.

A building occupier can find out if a building has an alternative solution by reviewing the building's Certificate of Classification, which is on display at the entrance of a building for buildings constructed after 1 July 1997.

For buildings constructed with a variation before this date, information should be available through the local government if the current owner does not have a copy of the building's approval documentation. In some instances fire safety installations which are required as part of an alternative solution may have a maintenance regime that has different or extra requirements to the Australian Standards mentioned above. In this situation, the building maintenance regime should comply with the alternative solution to the extent of any inconsistency.

It is important to note that if a building occupier is using a particular relevant standard, then there is no need to change current practices. For example, if an older building has been maintained without any problems in accordance with the current standard, then it would be recommended to continue using the more current standard. The more current standard may have some safety or efficiency improvements when compared to the earlier standard. It is also important to remember that there may be a cycle of maintenance that needs to be completed.

Recently, the Sustainable Planning Regulation 2009, Schedule 7 was amended to introduce the QFRS as a concurrence referral agency for alternative solutions for performance criteria 3–5.



6. Frequency of testing for selected passive fire safety installations

An active maintenance regime is not required for some passive fire safety installations.

The QDC acknowledges the practical problems in complying with the frequency of inspections and access to passive fire safety installations listed in AS 1851–2005. The frequency of required testing and inspections for passive fire safety installations are listed in schedule 1 of the QDC. The frequency of inspection is six-monthly and yearly, depending on the building classification. A building occupier may decide to increase the frequency by using the testing frequency mentioned in AS 1851–2005 if practices or uses are considered to warrant this. However, the regulations only require the testing frequencies in schedule 2 to be followed.

Even though there is no active maintenance regime required in the QDC for some passive fire installations such as floors and walls, the occupier should still be aware that it is a breach of the Act to carry out building work without complying with the requirements of the Act. For example, a body corporate might engage a data cabling or pay television company to install cabling and the contracted worker may wish to create a penetration through fire walls or floors. This is not permitted without building approval. If the openings around the penetration are too large or have not been fire stopped in accordance with the building code, the building's fire safety will be compromised.

Note: *The Fire and Rescue Service Act 1990* (the Act) section 104D states that "The occupier of a building must maintain at all times every prescribed fire safety installation to a standard of safety and reliability in the event of fire". All structural features that are fire safety installations, such as passive fire systems, are required to comply with this section of the Act at all times, not just those in the tables within schedule 1 of the QDC MP6.1. Owners and occupiers should periodically inspect structural features to ensure the features continue to provide compliant passive fire safety outcomes for the building. The Building Code of Australia requires safety measures to be capable of performing to a standard no less than which they were originally required to achieve.

6.1 Fire doors

Fire doors are an integral component of fire protection in buildings and are known as 'passive fire protection systems'. They are installed in walls constructed as fire barriers and each fire door has a fire rating known as a fire resistance level (FRL) as does the fire wall itself.

The term 'fire door' is the common short form used for a 'fire-resistant-doorset'. A fire resistant doorset consists of a door leaf, doorframe and associated hardware such as



closers, handles, locks, vision panels and air grills. Fire doors are also required to be self closing and latching.

Fire doors contain the spread of fire and assist in providing occupants the time to safely evacuate a burning building. Most fire doors are kept closed at all times, however some doors are held open with magnetic devices and will shut automatically upon the activation of the alarm in the event of fire. The movement (opening and closing) of a fire door should never be impaired by a door wedge/chock or other obstacle.

If your building is a class 2 (e.g. apartment building), it is most likely apartment doors are fire doors which require yearly testing. Generally, the obligation to test fire safety installations is placed on occupiers and, in the first instance, the requirements to maintain these doors is placed upon the unit occupier because the unit occupier controls full access to the door. However, in practice, the body corporate is responsible for maintaining the common property and unit doors typically intersect with the common property pathways. Therefore, unit occupiers may accept the common practice of allowing the body corporate to undertake the testing on their behalf. It is recommended that owners, occupiers and the relevant body corporate put in place standing arrangements to facilitate how each apartment door can be accessed for testing as required. Where occupiers do not allow the body corporate to test and maintain the unit fire doors, the occupier must ensure their door is tested and maintained in compliance with the QDC.

6.2 Common defects of fire doors

Fire doors are often installed in areas where they may be subject to regular traffic (movement of people and/or equipment) resulting in damage, defects, or wear and tear that may affect the door's efficiency during a fire. Further, aggressive environmental conditions such as constant heat or humidity, chemicals and salt air can also affect the operation of and/or the individual components that make up a fire door.

Work is sometimes undertaken in buildings such as refurbishing, where the fire doors are not touched, but the installation of new floor covering might affect the required performance of a door. For example, the gaps around a fire door must not exceed certain distances. Replacing existing floor tiles with new thinner tiles could increase the gap between the door and the floor, allowing for fire to spread from one side of the door to the other.

Some of the more common defects observed during routine maintenance procedures are outlined below.

- Door hardware is inoperative. Fire doors have a number of moving parts that are integral to its operation. All the hardware components associated with a fire door are key elements that combine to achieve the



overall FRL that a door complies with and is certified to. These components are tested and approved by a registered testing authority and installed or repaired by an appropriately qualified person. For example, oil leaking from a door closer may affect the performance of the closer and stop the door from shutting to a fully closed position.

- Door leaves are warped, twisted, delaminated or buckled, creating a situation where they no longer close against the frame within acceptable gap limits. The edging of the door should also be in good condition where it is free from splitting or other damage on all sides. These defects can occur from aggressive environments such as heat, humidity, chemicals and exposure to weather.
- Door frames not being adequately anchored to the wall, free from distortion or with obstructions that could prevent the door from closing properly. With metal door frames exposed to aggressive elements including salt air in coastal regions they may become corroded and require regular additional maintenance to maintain compliance.
- Vision panels (windows) are damaged or cracked or framing is not secure. Typically, vision panels need to be made from materials of a type approved for use and securely held in place.



7. Asbestos in fire doors

Some buildings constructed before January 1990 may have fire doors using thermal insulation that is asbestos containing material (ACM). ACM is a health hazard and the *Workplace Health and Safety Act 2011* and Workplace Health and Safety Regulation 2008 detail the obligations of building owners for managing and removing ACM.

If a fire door is damaged to expose friable asbestos material, the material and door will need to be removed by an asbestos removalist who has a certificate to perform the work issued by Workplace Health and Safety Queensland.

For fire doors, where the asbestos is bonded or enclosed, the door must be entered onto an asbestos register for the building, have a suitable label to ensure maintenance workers are aware asbestos is present, and be managed through an asbestos management plan controlling maintenance work and other activities that could lead to the ACM being disturbed.

For further information about asbestos management please contact Workplace Health and Safety Queensland on 1300 369 915 or www.justice.qld.gov.au



8. Battery operated fire alarms

From 1 July 2007, the *Fire and Rescue Service Act 1990* (FRSA) requires all domestic dwellings in Queensland contain at least one battery-operated 9 volt smoke alarm where there are no hard-wired 240 volt alarms installed. A domestic dwelling is defined in the FRSA as a class 1a building (e.g. attached or detached house) and the sole-occupancy unit of a class 2 building. A smoke alarm is required to be installed on or near the ceiling in all storeys of a dwelling and between bedrooms (e.g. in the hallway).

There is not a requirement for battery operated alarms to be listed on occupier's statements, but the alarms are still to be maintained in accordance with the FRSA.

The obligations of the lessor include:

- clean and test the smoke alarm/s within 30 days of the commencement of a tenancy
- replace the battery before it reaches the end of its manufacturer's shelf life, or where it is known that the battery is almost flat, within 30 days before the start of a tenancy
- replace the smoke alarm unit before it reaches the end of its service life or immediately on the expiration as specified by the manufacturer's instructions. This would typically be indicated by the warranty.

The obligations of the tenant include:

- clean and test the smoke alarm/s during the tenancy at least once every 12 months
- replace batteries when they become flat during the tenancy in accordance with the manufacturer's instructions
- advise the lessor or real estate agent if they become aware that the smoke alarm has failed or is about to fail other than because of a battery being flat.

For further information on these requirements please contact QFRS on 07 3247 8100 or visit www.fire.qld.gov.au



9. Changing standards

A full cycle of maintenance must be carried out before changing maintenance standards. For example, a building's stairwell pressurisation system may not be capable of achieving the pressure test requirements of the latest standard and the test may damage the building.

In this instance, the licensed contractor might recommend to the building occupier that an earlier relevant standard or the standard which was in place at the time of construction be used, because the earlier standard has a lower pressure requirement that the building system can achieve.



10. The occupier's statement

MP 6.1 requires the building occupier to provide a copy of the yearly 'occupier's statement' to the commissioner of the QFRS, confirming that the building's fire safety installations have been maintained in compliance with the QDC.

Where there is no occupier, the building owner is required to sign the statement and send a copy of to the QFRS commissioner. Optionally, an authorised person on behalf of the occupier/owner can sign the statement, for example, a person nominated on behalf of a body corporate or corporation. The occupier's statement may be submitted by post, in person or via email to your local QFRS community safety office when the annual maintenance program for all of the fire safety installations has been completed.

Postal addresses and fax numbers for regional offices can be found at www.fire.qld.gov.au. The occupier statement can also be emailed to occupier.statements@dcs.qld.gov.au The occupier's statement form is included in schedule 2 of the QDC.

An appropriately qualified person will provide a building occupier with a record of maintenance upon completion of each test or inspection. These records will assist a building occupier in the completion of the occupier's statement. The record of maintenance must state each of the following:

- (a) a description of the prescribed fire safety installation on which the maintenance was carried out
- (b) if the maintenance was carried out by an appropriately qualified person—the name and license number of the person who carried out the maintenance
- (c) if the maintenance was not carried out personally by an appropriately qualified person—the name and license number of the appropriately qualified person under whose personal supervision the maintenance was carried out
- (d) the date the maintenance was carried out (the maintenance date)
- (e) a brief description of the maintenance carried out
- (f) that the maintenance was carried out in compliance with QDC, part MP6.1
- (g) the results of the maintenance of the installation, including:
 - whether or not the person carrying out the maintenance considered the installation was in proper working order
 - the details of any repair or other corrective action the person considered was required for the installation
 - the details, including the date, of any repairs made to the installation or any other corrective action taken.
- (h) also, the record of maintenance must include:
 - a statement, signed by the person who carried out the maintenance, certifying that the matters stated in the record of maintenance under subsection (2) are correct
 - if the occupier has been given a critical defect notice relating to a prescribed fire safety installation mentioned in the record of maintenance—the notice.



11. Buildings with several tenancies

There may be instances where there are many occupiers in one building, such as a shopping complex that consists of a large number of tenancies. Occupiers are responsible for fire safety installations within their own tenancy and this will include installations located outside the building if the tenant leases the entire premises.

The building's body corporate or owner has responsibility for the maintenance of all other installations for the common areas, including prescribed fire safety installations that are located on the premises, but outside the building.

It is recommended that for integrated fire safety installations that service the entire building through different tenancies, such as sprinkler or fire alarm and detection systems, that one entity take practical responsibility for the maintenance of that installation. For example the building's owner or body corporate could oversee the maintenance of hydrants, sprinklers, hose reels and alarm and warning systems. Installations located within individual tenancies, such as fire extinguishers, generally fall under the responsibility of the tenant occupying the tenancy although, it is recommended that the body corporate or building owner be permitted to undertake maintenance of all installations if this service is offered.

If tenants refuse to allow the owner or body corporate to maintain parts of the integrated systems located within their tenancy, then the tenant will also need to ensure the installations are maintained. It is recommended that tenants allow the owner or body corporate to inspect and test prescribed fire safety installations that are integrated throughout the building, because these systems often require periodic testing and replacement of various elements and this should be done with the whole system in mind. Also, building-wide systems should be tested in their entirety and not for how they operate in individual tenancies.

Where a building has multiple tenancies, it is not necessary for every tenant (being the occupier) to submit a separate occupier's statement to QFRS. If the body corporate undertakes maintenance of all of the building's prescribed fire safety installations, a compliant occupier's statement by the owner or body corporate will be accepted as satisfying each tenant's obligations regarding the occupier's statement. However, where the body corporate or owner does not fulfil this role, or where a compliant occupier's statement has not been prepared by the owner or body corporate, each individual tenant remains responsible for their obligations to comply with the code. It is recommended that owners specify their arrangements through their body corporate. In addition, it is recommended that tenants and owners specify the occupier's statement arrangements in their lease agreements.



Example 4

A shopping centre contains 87 individual tenancies. Due to the size of the building, facilities are centrally managed. In this instance, the owner's facilities management team coordinates the maintenance of all prescribed fire safety installations within the common area and within individual tenancies. Once the yearly maintenance regime is completed, the facilities manager, who is the authorised person to sign on behalf of the owner or company, signs one occupier's statement for the entire building (including the tenancies) and submits this statement to QFRS. As the statement specifies and includes all of the fire safety installations in the building it is accepted as satisfying the QDC's reporting requirements.

Example 5

A restaurant is located in a block of shops and the shopping complex is managed by a body corporate. The restaurant has fire extinguishers in the kitchen within the tenancy, but the hydrant for the restaurant is in the common area and is used to protect all of the shops in the building. In this instance, the restaurant tenant (being the occupier) may either ensure periodic maintenance is carried out on extinguishers or allow the body corporate to maintain the extinguishers. The body corporate is responsible for maintaining the hydrant and it may also maintain the extinguishers on behalf of the tenant.

If the restaurant and other tenants maintain their extinguishers, several occupier's statements would be submitted by the tenants to QFRS and one statement would be submitted for the hydrant by the body corporate. Alternatively, if the body corporate maintained all of the installations then one occupier's statement is accepted as satisfying the QDC's reporting requirements.



12. Keeping records safe

Records of commissioning or maintenance must be kept with your building's fire evacuation plan in the building in a way that it is reasonably likely not to be damaged in the event of a fire or hazardous materials emergency. For example, the records could be contained in a metal filing cabinet. A copy of records should be kept in another place and usually the building's licensed fire contractor will keep copies of work done. Occupiers may also keep the secondary copy as an electronic copy of the records in accordance with section 32E of the Acts Interpretation Act 1954, for example, on a computer hard drive, memory stick or compact disc. The electronic copy should be kept in another place (i.e. not the premises). The records must be kept for a minimum of two years and must be made available upon request from an authorised QFRS officer.

An appropriately qualified person who carries out commissioning or maintenance of a water-based fire safety installation must keep a record of the document mentioned in P4 for a reasonable time.

QFRS officers have powers to audit buildings for fire safety. This includes powers of entry to a building and to demand the occupier to produce records of maintenance. QFRS officers are also authorised to issue notices or on the spot fines to occupiers who do not comply with requests for producing records of the maintenance requirements of the QDC.



13. Critical defect notices

When the maintenance provisions for fire safety installations were transferred from the BFSR to the QDC, there were no changes to the requirements for critical defect notices.

If an appropriately qualified person has issued a critical defect notice to a building occupier, it means that the person has detected a defective fire safety installation where the defect:

- is likely to render the installation inoperable
- is reasonably likely to have a significant adverse impact on the safety of occupants of part or all of the building if a fire or hazardous materials emergency happens.

Some examples of critical defects would include:

- a defect making a fire detection and alarm system inoperable, therefore, building occupiers are not warned of a fire
- a defect in a pump where the building's fire hydrant system can no longer provide water to put out a fire.

It is important to rectify this defect as soon as it is practically possible. Interim measures may need to be put in place for a critical defect until repairs can be effected.

Example 6

An inspection of a monitored alarm system for a high-rise hotel building has revealed the alarms will not activate during an emergency. Interim safety steps must be put in place because the system failure in the building has placed the occupants at risk and the critical defect notice relates to a serious life safety matter. The building occupier contacts the QFRS of the problem and employs a person to undertake 'fire-watch' duties to continually monitor each floor, manually warn occupants, manage the building's evacuation and to contact QFRS by telephone in the event of an emergency.

Example 7

A fire hydrant system for an industrial warehouse has ruptured. The licensed contractor has found that the system cannot achieve the required water pressure and has issued a critical defect notice. In this situation, if a fire occurs there will be insufficient water supplies to fight and contain a fire. The building occupier contacts QFRS to notify them of the defect and arranges for a suitable water supply and fire management plan to be in place until the defect is rectified.

Where a critical defect notice has been issued by a contractor and the critical defect has been rectified, the occupier should attach both these records of maintenance to the occupier's statement before sending it to the QFRS.



14. Body corporate obligations

The maintenance code applies to a range of buildings which commonly have a body corporate such as class 2 (residential apartments), class 3 buildings (such as holiday/business accommodation) and commercial/industrial buildings.

Members of a body corporate will need to determine who is authorised to sign the yearly occupier's statement on behalf of the body corporate.

Suggested actions that a body corporate could take to ensure the building is maintained include:

- determining who is authorised to sign the occupier's statement on behalf of the body corporate
- confirming the date of when the building was approved for construction
- entering into a maintenance contract with an appropriately licensed person to ensure ongoing periodic maintenance is carried out
- confirming dates of maintenance inspections where entry into individual units may be required, such as for the inspection of unit entry doors that are fire doors
- keeping records of all maintenance for two years with the building's fire and evacuation plan include fire safety maintenance in your funding forecasts.



15. Fire blankets

AS 1851–2005 provides for inspection and maintenance of fire blankets, however, fire blankets are not listed as a prescribed fire safety installation under the *Building Act 1975* or the Fire and Rescue Services Act 1990 and therefore are not addressed in the QDC unless they form part of an alternative solution. For example, an alternative solution for a laboratory includes fire blankets to be installed within each testing station. The alternative solution states that the blankets must be maintained against AS 1851–2005. In this instance, the fire blankets have become prescribed fire safety installations because they are required as part of an alternative solution to meet the performance criteria of the BCA.

Please refer to the Alternative solution section of this document to determine if your building has been approved with an alternative solution.



16. Legislation

The following legislation is applicable:

Acts Interpretation Act 1954—Section 14A states that in interpreting a provision of an Act (including statutory instruments made under an Act), the interpretation that will best achieve the purpose of the Act is to be preferred to any other interpretation.

Building Act 1975—Section 258 provides for guidelines to be made to assist with compliance with the Building Act 1975.

Building Fire Safety Regulation 2008—Sections 49 to 55B provides for the maintenance of prescribed fire safety installations.

Fire and Rescue Service Act 1990—Part 9a refers to building fire safety.

Plumbing and Drainage Act 2002

Workplace Health and Safety Regulation 2011—Part 13 refers to asbestos management and removal.

Queensland Building Services Authority Act 1991

Complete copies of Queensland legislation referred to in this guideline can be downloaded for free at www.legislation.qld.gov.au

A copy of the QDC can also be downloaded for free at www.dlgp.qld.gov.au

