

ESSENTIAL SAFETY MEASURES

If you are the owner of a building (other than a house or outbuilding), you are responsible for its upkeep and maintenance – particularly its safety features. These are known as essential safety measures. Maintaining the essential safety measures will ensure that the building's important safety systems are working at the required operational level throughout the life of the building. The type of maintenance needed depends on the complexity of the safety measure, equipment or feature, and on the maintenance program expected at the time of installation.

TYPES OF BUILDINGS

Essential safety measures apply to all buildings apart from a house or outbuilding. These include the following classes:

Class 1

Buildings are houses; typically standalone dwellings of a domestic or residential nature

Class 2

Buildings containing sole-occupancy units which are dwellings (e.g. apartments, blocks of flats)

Class 3

Backpacker accommodation, residential parts of hotels or motels, residential parts of schools, accommodation for the aged, disabled or children

Class 4

A dwelling in another class of building

Class 5

Offices for professional or commercial purposes

Class 6

Shops or other buildings for sale of goods by retail, including cafes, restaurants, milk bars, dining rooms, and bars

Class 7

Buildings used for car parks, storage or display of goods

Class 8

Laboratories or buildings for production or assembly of goods

Class 9

Public buildings such as health care buildings or assembly buildings, nightclubs, bars etc.

Class 9a

Buildings where health-care takes place

Class 9b

Assembly buildings in which people may gather for social, theatrical, political, religious or civil purposes

Class 9c

Aged care buildings

Churches are generally classified as Class 9b

WHAT ARE ESSENTIAL SAFETY MEASURES?

The term 'essential safety measure' includes items such as:

- air handling systems (used for smoke hazard management)
- exit doors
- early warning systems
- emergency lifts
- emergency lighting
- emergency power supply
- emergency warning systems
- exit signs
- fire control centres
- fire curtains and doors
- fire extinguishers
- fire detection and alarm systems
- fire hydrants
- fire isolated stairs
- fire rated materials
- fire windows
- mechanical ventilation (incorporate a cooling tower or hot or warm water system)
- fire isolated passageways and ramps
- paths of travel to exits
- smoke alarms
- smoke control systems
- sprinkler systems

FAILURE TO COMPLY

Non-compliance may result in an infringement notice being issued by Council or the Fire Authority, along with a fine. It may also result in prosecution and more substantial fines. More importantly, non-compliance could place building occupants at risk, as well as passers-by and the occupants of adjoining buildings.

ESSENTIAL SAFETY MEASURE RESPONSIBILITIES

- Councils have responsibility under the Building Act 1993 for the enforcement of building safety within their municipality.
- The municipal building surveyor or chief officer of the relevant fire authority is responsible for the enforcement of the maintenance provisions of the Regulations.
- Building occupiers have an obligation to ensure all exits and paths of travel to exits are kept readily accessible, functional and clear of obstructions.
- Building owners must ensure that an essential safety measure is maintained so that it operates satisfactorily.

As the building owner, you must prepare an annual essential safety measures report on the buildings essential safety measures. You may authorise an agent, such as a specialist maintenance contractor, or the secretary of the occupying church to complete the report. The annual essential safety measures report for your building can be found in the section 1 of your Redbook.

RECORD KEEPING

You must keep good records of maintenance checks, safety measures and repair work.

This is so they can be inspected by a municipal building surveyor or chief officer of the fire brigade. You must make these documents and the annual reports available on request after 24 hours' notice has been given.

Adequate maintenance is the best way to ensure that fire safety systems will operate reliably if an emergency arises. Meeting these requirements will help you have greater knowledge of the safety and condition of your building.

PLANNING RENOVATIONS?

If you are planning on doing work to alter an existing building, you should be aware that it may affect the essential safety measures. Check with a municipal building surveyor or private building surveyor to see what needs to be done to comply with the Act and the Regulations.

LEGAL REQUIREMENTS

The Regulations require the building owner to maintain essential safety measures so that they operate satisfactorily. There are different obligations under the Regulations, which depend on when the building was built or when building work occurred on the building.

BUILDINGS BUILT BEFORE 1 JULY 1994

If the building was built before 1 July 1994, the owner is responsible for ensuring that any safety equipment, safety fittings or safety measures are maintained and fulfilling their purpose. This includes exits and paths of travel to exits.

BUILDINGS CONSTRUCTED OR ALTERED SINCE 1 JULY 1994

If the building was constructed or altered since 1 July 1994, the list of essential safety measures, including their performance level, frequency and type of maintenance required would be included with the occupancy permit or certificate of final inspection.

DISPLAYING OCCUPANCY PERMITS

The owners of all Class 9 buildings, and Class 2 to 8 buildings constructed or altered since 1 July 1994, must have a current copy of the building's occupancy permit on display in the building. These can be framed, or placed in a sealed, transparent or glass covered notice board. Multiple pages may be laminated so they can be suspended or fixed in a prominent position in the building as approved by the building surveyor.