

Building Regulation News Updates are issued as and when necessary, to keep the Tasmanian Building Industry informed of developments occurring in the industry, Building Code of Australia (BCA) and its referenced documents and legislation.

MAINTENANCE SELF ASSESMENT PROCEDURE

Purpose

This News Update is to inform industry and owners of existing commercial building of a publication to assist them in determining what features and measures they need to have maintained annually under the *Building Act 2000*.

Background

Building Standards and Regulation have developed a pamphlet '*Maintenance of Essential Safety and Health Features in existing commercial buildings*' (GB160). The pamphlet contains a two-part '*Maintenance Self Assessment Procedure*' to assist commercial building owners in determining if they have to do anything and if so what are the features and measures they need to have maintained annually under the Building Act.

Copies of the pamphlet can be accessed on the Internet at the following address:

<http://www.wst.tas.gov.au/resource/bsrmaintenan.htm>

Further Information

Further information can be accessed on the Internet at the following address:

<http://www.wst.tas.gov.au/resource/bsrbldgmaint.htm> , or

Contact the Helpline and ask for publications GB160 '*Maintenance of Essential Safety and Health Features in existing commercial buildings*' and GB151 '*Maintenance of Essential Safety and Health Features and Measures*' to be sent to you by mail.

Helpline

Workplace Standards Tasmania
PO Box 56
ROSNY PARK, TAS, 7018
Phone: 03 6233 7657 (Outside Tasmania)
Local rate: 1300 366 322 (Inside Tasmania)
Fax: 03 6233 8338
Email: wstinfo@dier.tas.gov.au

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Building Act 2000

Maintenance of Essential Safety and Health Features in existing commercial buildings.

Please take the time to read this information. As the owner of a commercial building you may have new obligations in relation to maintenance of the essential safety and health features and measures in your building.

The new **Building Act 2000** came into force on 1 July 2004.

The Act introduced systems to ensure that the safety and health features in buildings are maintained in good working order.

To continue to obtain maximum safety and value from the standards applied to new buildings, those standards must be maintained throughout the life of the building. Tasmania is one of the last States to introduce this requirement.

This legislation also introduced a system of:

- Building Practitioner Accreditation;
- Contestable Private Certification of compliance with the Building Code of Australia (private building surveyors now compete commercially with council building surveyors);
- More effective enforcement provisions (including infringement notices); and
- Clearer responsibilities for all parties (including owners).

Refer to the second part of the attached Self Assessment Procedure to see what essential safety and health features and measures are.

Existing buildings, other than single dwellings or non-habitable buildings or structures (technically Class 1a or Class 10 buildings), are now also required to have any essential health and safety

features and measures (if there are any), maintained.

Some features, such as fire protection equipment, are already required to be maintained under the General Fire Regulations. Also, all employers have a duty to maintain safe and healthy workplaces under Workplace Health and Safety Act.

The new provisions are about the maintenance of essential safety and health features and measures in buildings and underpin the existing requirements. They are not meant to be used to require upgrading of any existing buildings to current BCA standard.

Most **farm buildings** and some other buildings will not contain these features and measures and therefore will not require the maintenance statement. The attached Self Assessment Procedure will help you to determine this.

If your building contains these features or measures, it may be necessary to engage a building surveyor or other maintenance expert to provide you with a maintenance schedule to follow this year and in future years.

Owners are required to display an **Annual Maintenance Statement** certifying that the maintenance has been carried out.

This will certify that the essential features and measures have been assessed by an appropriately qualified person, and are operating to the standard to which they were originally designed.

Property owners with existing buildings that contain essential

safety and health features and measures **now have until 14 July 2006 to display the first Annual Maintenance Statement.**

In complex buildings, many of those essential features and measures will need to be inspected, tested and maintained by maintenance experts.

On the other hand, owners or employees (fire wardens or facility managers for example) if they are appropriately trained, will be qualified to check simpler issues such as clear exit paths, exit door furniture, glazing etc. The intention of the legislation is not to impose new costs or duplication on building owners; it is to ensure that proper maintenance is carried out for the benefit of building occupants and the public.

Council staff will assist with advice on this matter or will seek clarification from DIER on your behalf if necessary.



Some of you will already be having this maintenance carried out, but you will need to display the Annual Statement conspicuously near the building entrance. Others will need to have an initial assessment performed to establish a maintenance schedule and then carry out the maintenance, or you may not need to do anything at all.

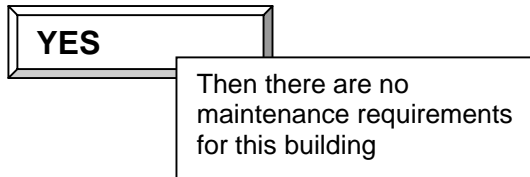
If clarification is necessary contact your Council building department or phone DIER on 1300 366 322 or go to www.wst.tas.gov.au/building

Maintenance Self Assessment Procedure-

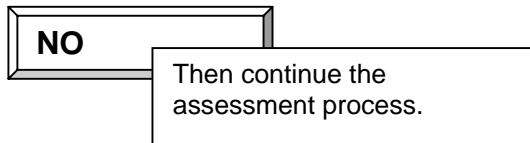
Does the new *Building Act 2000* mean that I have to do anything?

Maybe not, but you will need to assess each building on your property. Just follow the steps from 1– 4 to find out. Keep a copy for your records.

1. **Is your building a detached dwelling, or a dwelling separated from another dwelling by a firewall?**



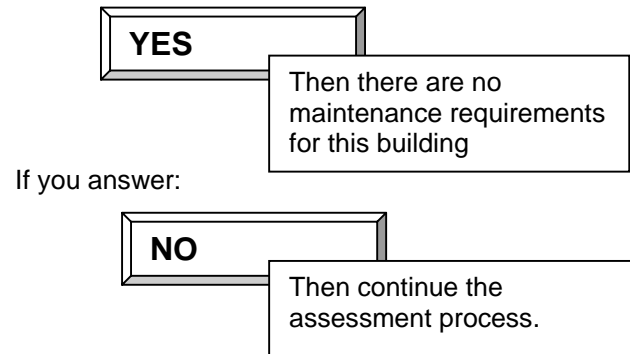
If you answer:



2. **Is the building a non-habitable building, outbuilding or structure such as a private garage, carport, shed or the like?**

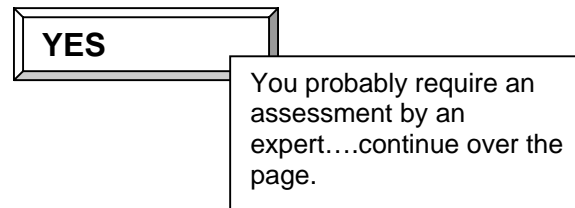
**An outbuilding is a detached building subordinate to the main building such as:*

- An aviary
- Boatshed
- Cycle shed
- Fowl house
- Fuel shed
- Garden shed
- Glass house
- Greenhouse
- Implement shed
- Kennel
- Pigeon loft
- Conservatory
- Summer house
- Shade house
- Tool house
- any similar subordinate building



3. **Is the building used as sleeping accommodation, a workplace or used by the public?**

If you answer:



BUT

If you do answer “**yes**” to the building being used by the public, and the building is a “Place of Assembly” and you do not have a Certificate of Occupancy for that building you will need to get a Building Surveyor to issue an Occupancy Permit. You may also need a Place of Assembly licence from the Council.

A **place of assembly** includes:

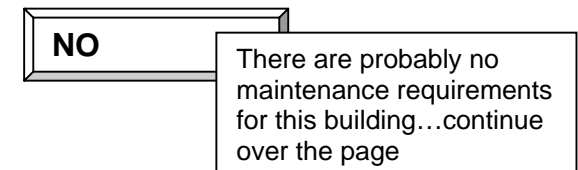
- (a) any place or area used for the entertainment of members of the public; and
- (b) any place or area used for the assembly of members of the public for social and recreational purposes; and
- (c) any school or other place or area used for community or public purposes.

“**public**” includes any person working in an enclosed public place.

“**public event**” means any performance, exhibition, spectacle, circus, festival, food festival, pageant, regatta, sports event, dance, publicly advertised lecture or other similar entertainment for the public.

“**public place**” includes a place to which the public ordinarily has access, whether or not by payment or invitation.

If you answer:



The second part of your assessment is for you to see if any of the essential safety and health features and measures do exist in your building?

4. *Is the building used as sleeping accommodation, a workplace or used by the public, & Does the building have any of these features?*

If you need clarification phone your Council building department or phone DIER on 1300 366 322 or go to: www.wst.tas.gov.au/building

Required building fire integrity features:

- fire walls
- proscenium walls (stages)
- fire resistant floors or ceilings
- fire windows or shutters, fire or smoke doors
- incipient fire spread ceilings.

Required means of egress:

- identifiable pathway to an exit
- fire doors
- exit door hardware including lever latches or push panic bars.

Signs:

- exit signs & directional exit signs and other warning signs.

Lighting:

- emergency lighting and artificial lighting required to assist occupant movement & egress.

Fire fighting services and equipment:

- Portable fire extinguishers
- Fire hydrants
- Fire hose reels
- Sprinkler system
- Fire control centre

Mechanical Air-handling systems:

- Smoke hazard management system
- Mechanical ventilation or air conditioning system

Automatic fire detection & alarm systems:

- Smoke and heat detection system
- Smoke and heat alarm system

Occupant Warning Systems:

Passenger Lifts:

Standby Power Supply Systems: (for essential safety and health)

Glazed assemblies: (structural adequacy and weatherproof)

Refrigerated Chambers, strong rooms and vaults: (which people can enter)

Hot water, warm water and cooling water system: (other than a single system in a flat or accommodation unit)

Plumbing features required to be maintained by the *Plumbing Regulations 2004:*

- (i) on-site waste water management system
- (ii) a testable backflow prevention device
- (iii) thermostatic mixing valves

Prescribed essential safety and health measures:

- Large isolated building clearance and fire appliance access.
- Emergency evacuation procedures.

Any other feature or measure provided in a building as a result of an alternative solution (performance solution), which was designated by a building surveyor as an essential safety and health feature or measure.

If you answered “yes” to any of the features or measures you need to engage a building surveyor or other expert to assess your building and develop a maintenance schedule for you to follow each year.

ANNUAL MAINTENANCE STATEMENT

Regulation 47

Building details:

Name: Building description
Located at: Address
 Suburb/postcode

Form **56**

Owner / Occupier details:

Name:
Address: Phone No:
 Fax No:
 Email address:

Statement details:

This statement is in relation to Occupancy Permit No.(s) issued on: *Date:*

(delete those not applicable)

As the *owner* or *occupier with contractual responsibility* of this building, I have ensured that the essential health and safety features and the essential health and safety measures have been assessed by an appropriately qualified person and are performing to standard required by the *Building Regulations 2004*.

(delete one not applicable) Name: *[print]* Signed: Date:
Owner / Occupier:

(Note: Occupier applies to an occupier with contractual responsibility for maintenance)