



# Building Newsflash

## BUDGET ACCOMMODATION BUILDINGS Alternative Solutions - Fire Safety Management Procedures

### Purpose

To advise of changes to the *Building Act 1975* with respect to the monitoring of fire safety management procedures in budget accommodation buildings.

### Background

Previously, where a management procedure is used as an alternative solution to comply with either the Building Code of Australia or Part 14 of the Queensland Development Code (the *Fire Safety Standard*,) the *Building Act 1975* required local councils to inspect buildings annually.

The *Building Act 1975* has been amended. From 30 March 2006, where owners use a fire safety management procedure to comply the local council must inspect the buildings at least once every three years without charging a fee. The *State Penalties Enforcement Regulation 2000* has been amended to compliment this change to allow council officers to issue fines if the approved management procedures are not implemented.

### Legislation

#### *Building Act 1975*

**Section 12Q (4) (b)** requires development applications to be refused if a proposed fire safety management procedure is not adequately reflected in the building's fire safety management plan (FSMP).

**Section 12 R (2)** requires local government to inspect at least every three years to ensure the owner is complying with the fire safety management procedure which forms part of the alternative solution.

**Section 12 R (3)** allows inspections to be made whenever the local council is open for business and without notice to the owner or occupier.

**Section 12 R (4)** requires local councils to keep a list of buildings that need to be inspected and to keep records of inspections.

**Section 12 R (5)** stipulates that a fee may not be charged for an inspection under s12R.

#### *Fire and Rescue Service Act 1990*

S104FC sets out required elements of an FSMP.

### Contact Officer

Glen Brumby  
Manager,  
Building Fire Safety  
Building Codes Queensland  
07 3898 0347