



6 September 2018

Fire Service Act Review
GPO Box 1526
HOBART TAS 7001
Via email: Act.Review@fire.tas.gov.au

Dear Sir/Madam

Re: Review of the Tasmania Fire Service Act 1979

The Australian Institute of Building Surveyors (AIBS) is recognised nationally and internationally as the peak professional body representing building surveying practitioners in Australia.

AIBS is pleased to have an opportunity to provide input (as below) into the review of the Tasmania Fire Service Act. The relationship between the Tasmania Fire Service (TFS) and the building surveying profession is important to the success of both in delivering a safer built environment for the Tasmanian community.

Consultation process

AIBS understands that the call for submissions relates to the first stage in the review process; being an initial consultation phase primarily aimed at information gathering. It is noted that the issues paper is not to be seen as restricting areas for comment, rather respondents are encouraged to provide comment about any matter of relevance including those described in the issues paper. We are pleased to offer our view on what we consider is important related to how the TFS relates to building surveying practice.

Relationship of TFS Act to building surveying practice

Building surveying is impacted by and relates to aspects of service delivery within the key Tasmania Fire Service delivery areas of:

- Strategic risk reduction planning;
- All-hazard response;
- Community education; and
- Organisational governance;

Risk reduction planning is key amongst these. In addition to working with building surveyors and other officers in local government to plan for disaster and community resilience, the role played by career firefighters and support staff in providing comment in response to mandatory referrals of proposals pursuant to Section 131 of the Building Act 2016 is a vital component of risk reduction.

So too are the inspections undertaken of fire safety features and measures in existing buildings such as maintenance of essential fire safety features and equipment and requirements related to the prevention of overcrowding or other appropriate usage matters.

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By the educative effects of such inspections (relating to the key delivery area of *'community education'*) and the information gathered during such inspections supporting enforcement of requirements by building surveyors, these activities significantly reduce the risk posed by fires and other emergencies for which TFS would be prime respondent so that the cost of responses is less likely to become challenged by otherwise preventable emergency situations.

The key delivery area of *'all hazard response'* also involves building surveyors. Building surveyors are occasionally called upon to provide information to TFS through the progression of emergency situations by the provision of important information about any buildings involved and adjacent to an emergency; which can be critical to decisions about risk mitigation.

Post disaster, building surveyors are often involved in ensuring the community is safe by acting upon information from TFS that helps building surveyors reach an understanding the condition of a damaged building, and then utilising powers pursuant to the Building Act 2016, building surveyors are able to direct property owners to take actions needed to make damaged buildings safer.

Currently, TFS provides an accreditation service which authorises appropriately qualified persons to provide bushfire assessment services and to work as installers of certain fire protective equipment. AIBS supports all involved in the building industry being either licensed or registered, carrying insurance and being subject to audit. Whichever arm of the government provides the accreditation of persons working in fire safety, there should also be feedback from inspections of their work with implications for ongoing participation for poor performance. This, we believe relates to the TFS service delivery areas of *'strategic risk reduction planning'* and *'community education'*.

TFS Act implications of relationship with building surveying

Responses to mandatory referrals are primary amongst the implications for building surveying. There are a range of matters that impact the successful delivery of the service whereby building surveyors and the TFS have reached an understanding on the process outside of the legislative provisions which delivers a pragmatic approach to this process. It would assist if the legislation governing this process could more clearly set out the fundamental elements supporting this important step in achieving safe buildings. This may require certain provisions to be introduced to the TFS Act and for other provisions to be introduced to the Building Act 2016 whereby in aggregate the provisions provide for efficient and reliable referral processes.

Referral during design assessment stage

AIBS believes that it is vitally important that the TFS Act review results in clarity of purpose of assessment stage proposal referral and a clearly defined scope of response to be provided. Further, AIBS believes that it is important that the purpose of a referral is defined as provision of advice about:

- the operational firefighting impacts of proposed building designs inclusive of fire fighting facilities and features which might impact the standard of fire safety for the occupants or users of the building or areas adjacent to a subject building;
- work health and safety impacts arising from a design, specifically relating to firefighting operations;
- matters which, in the experience and opinion of the TFS, represent an excessive hazard whereby the proposed design should be modified to mitigate the risk of the hazard.

The priority of any comment should be about life safety. Property protection should be a secondary consideration that becomes relevant where fire spread from the property of origin to adjacent properties is concerned, whereby further threat to life might arise.

The referral process and timeframes for response should be adequately provided for within the TFS Act so that the community, building industry and building surveying practitioners are able to confidently rely on a timely response that is of appropriate quality to deliver the desired outcome of a safer built environment.

Involvement during construction phase

The process of constructing buildings provides a range of risks that must be managed throughout the process. Often the process of implementation of new work involves the demolition of existing buildings. As the existing building is decommissioned and stripped of features so that the structural frame can be de-constructed, the risk profile of the building changes and TFS advice to site and also to enforcement bodies assists in mitigation of that risk. As construction of a new building progresses, so to do the risks it represents from material storage and site accommodation which can often impact access to firefighting facilities and parts of the building of highest risk during construction. The TFS Act will need to provide for an active and responsive role in ensuring a suitable standard of fire safety is achieved and available throughout the process of demolition and construction of buildings.

AIBS believes this role should involve inspection and auditing of buildings in conjunction with building surveyors or independently with reporting avenues which empower building surveyors to ensure their enforcement role is able to be executed.

There are other services provided during the construction phase related to hot work and certain works on total fire ban days and such like which provide an important service to the industry and the community which need to be supported through the review of the TFS Act.

Referral during verification of suitability for occupation

Requests for comment from TFS at construction completion support the process of verification of the suitability of a building for occupation. The role TFS plays in the inspection, testing and performance verification of newly constructed building fire safety features are vital in this process. It is important that the TFS Act provide for the delivery of this service to the building industry and in support of the decision-making process of building surveyors.

The scope of inspection and testing should be made clear in the TFS Act, which in turn provides clarity regarding the form and detail to be provided in reporting to the building surveyor. AIBS believes that this work should prioritise life safety over property protection in the same way as described above for the initial referral reporting process. The operational functionality of the installed equipment should be the prime focus of reporting on testing and performance verification and TFS reporting should include comments on any other aspects of the completed building which, in the experience and opinion of the TFS, represent an excessive hazard whereby action should be taken to mitigate the risk of the hazard.

TFS personnel tenure and qualification

To support the reporting, inspection, testing and verification work, key positions should be created and securely filled to provide for stability and consistency. Far too often, fire brigades around the country have such roles filled by rotating shifts, sometimes as long as two years and frustratingly, often less than this. The issue with this approach is that the time taken for an officer beginning this role to reach a satisfactory understanding of the processes and technical

requirements related to buildings is often not far different from the time served in the position so that an inefficient service is provided with high capacity for error.

AIBS believes that the role should be filled by persons with a far longer tenure than 2 years, preferably no less than 5 years and wherever possible, transition periods should be arranged so that with changes in staff, new staff are able to be mentored into the role to improve take up of knowledge and also to foster greater consistency between incumbents.

It is important to ensure that persons fulfilling the role are properly qualified, firstly in operational matters and secondly, in the legislative processes involved and the technical requirements that are relevant to the provision of firefighting facilities and features involved in fire protection.

TFS monitoring of fire detection systems

AIBS supports fire brigade involvement in the monitoring of automatic fire sprinkler systems and other automated smoke or fire detection systems. This is not to exclude private participation in the monitoring of certain systems where this is appropriate. Determination of who should monitor what is a matter for the Tasmania parliament to determine.

Wherever a system is monitored with the intent of causing the earliest possible brigade turnout on activation of a system, it is appropriate that the TFS be involved in regular verification testing and maintenance scrutiny of the installed systems. The purpose of such involvement should be to ensure the original conditions and serviceability of the equipment and features are retained throughout the service life of the building, to ensure the life safety standards offered by the building are not allowed to diminish.

This work also interacts with building surveyors, most often those within local government having an enforcement role, whereby information about system maintenance and performance should be relayed to the building surveyor so that action can be taken, where appropriate, related to inadequacies of maintenance or performance or changes in use or other conditions occur.

AIBS has also identified a need to review rules governing who can access fire alarm and emergency evacuation system control panels. Currently, only TFS officers are allowed to reset a panel in the event of a false alarm. This causes difficulty for areas served by volunteer brigades where attendance for false alarms is disruptive to the lives of volunteers and often less than ideal for property owners who are sometimes left waiting long periods before a brigade can turn out to reset the panel.

AIBS believes there is scope to allow non-brigade personnel to reset alarms. With appropriate training and registration of authorised persons, alarm panel access documentation, and strict secondary alarm reset protocols, there is an opportunity to ensure volunteer brigades are not unnecessarily burdened with responses to false alarms and property owners can quickly be able to return to normal status following a false alarm. The review of the TFS Act should account for these issues.

TFS involvement in community policing

Regular audit inspections of existing buildings in use are an important element of ensuring ongoing compliance with fire safety requirements and community education regarding fire safety. Such audit inspections include multi-agency inspections of places of entertainment such as nightclubs, restaurants, casino(s), picture and live performance theatres and the like. Issues such as overcrowding, blocking or obstruction of emergency exits and pathways

leading to them, disabling of emergency exit lights or smoke or fire detection systems to allow for unauthorised activities within these buildings and use of buildings other than for the approved purposes are able to be managed by the conduct of audit inspections.

Often the detection of compromised systems or deviations from approved use requirements is uniquely facilitated by the involvement of TFS officers in the conduct of audit inspections. Having alerted the attending building surveyor to the issue, action can then be taken, sometimes involving a multi-agency approach to enforcement. A building surveyor with enforcement powers can take action as can a council-based building surveyor through the liquor licensing body, perhaps in conjunction with the Tasmania police force or licensing enforcement officers.

TFS involvement in review of existing buildings

As has been seen with the recent audit of buildings with respect to cladding fire risks, from time to time it is necessary that existing buildings are reviewed to ascertain the standard of building fire safety they provide. In some jurisdictions, legislative arrangements exist which provide for the undertaking of audits in a planned way of buildings identified to be of highest risk with further arrangements for the giving of directions to building owners ultimately compelling the upgrading of the standard of building fire safety for their buildings. TFS should be involved in such auditing if it arises from time to time in Tasmania and particularly if legislative provisions are established in Tasmania that allow for the retrospective review and upgrading of existing buildings. The TFS Act should ensure there is adequate provision to allow for such involvement.

TFS involvement in policy formulation

TFS input into deliberations about the formation of technical requirements and other policies impacting building fire safety supports better outcomes. AIBS believes it is important that the TFS Act provides for the TFS having a voice at the table wherever technical requirements or policy matters are being discussed.

Should you wish to discuss this further or require any clarification, please do not hesitate to contact our office.

Yours faithfully
Australian Institute of Building Surveyors



Roland Wierenga
Chapter President – TAS