



20 March 2020

The Hon. John Quigley LLB JP MLA
Minister for Commerce
5th Floor, Dumas House
2 Havelock St
West Perth WA 6005

Dear Minister,

RE: Impact of Coronavirus on fire safety

Fire Protection Association Australia (FPA Australia) is the national peak body for fire safety, providing information, services and education to the fire protection industry and the community.

Over the last few days, FPA Australia has received several enquiries about the onset of coronavirus and its implications for the fire protection industry.

These enquiries fall into three groups:

1. Occupiers, owners or agents of occupiers or owners preventing fire protection service providers from entering buildings to undertake maintenance of safety measures (including fire protection systems and equipment);
2. Employees expressing concerns about their safety when providing services; and
3. Employers are trying to meet their own OHS responsibilities to their staff while at the same time delivering on their commitment to protect the community and meet their contractual obligations.

Although we recognise that owners and managers of buildings are able to determine activities in their own premises, and can determine their own compliance needs, the industry is looking for direction on the Government's expectations at this time.

Most activities can be rearranged to ensure compliance – for example, assessing commercial premises after hours or when the building has lower occupancy levels.

However, the maintenance of residential, health care, aged care, education facilities or buildings with designated restrictions is causing concern.

Sole occupancy units (SOUs) pose particular problems for practitioners.

Federal and State Government advice for people to work from home or to undertake self-quarantine means that there is an increased risk to practitioners carrying out assessments, as those who may be affected will be on-site when servicing must be carried out.

This poses a significant health risk to practitioners that are required to access relevant parts of a building (including an occupier's residence) to undertake their normal duties.

Technicians/service contractors are already being denied access to buildings or are being instructed not to access these areas due to implementation of internal company policies to safeguard their employees.

To resolve these concerns, we propose the following and seek the Government's opinion on whether it would be acceptable or achievable under current regulations outlined below:

In light of the ongoing COVID19 crisis, the Government should issue a declaration as follows:

While maintenance of safety measures (including fire protection systems and equipment) required by Regulation 48A of the Building Regulations 2012 should continue to occur, the government acknowledges that:

- *Occupiers, owners or agents of the occupiers or owners may restrict access to their building or part of their building as part of their response to the COVID19 crisis thereby preventing fire protection service providers from entering buildings to undertake maintenance of safety measures;*
- *Fire protection service providers may, in trying to meet their own OHS responsibilities to their staff or as a result of government required COVID19 actions, may be unable to provide staff to undertake maintenance;*
- *Employees of fire protection service providers may, in concern for their safety, refuse to enter certain buildings or parts of buildings (e.g. healthcare buildings, apartments within residential buildings, etc.)*

Therefore, the Government advises that where such circumstances occur:

- *Maintenance of safety measures (including fire protection systems and equipment) should continue to be carried out on relevant buildings where possible but without entering SOUs or areas of designated restriction.*
- *Where maintenance is unable to occur, it can be delayed by either:*
 - *the allowable tolerances in Australian Standard AS 1851-2012 or Australian/New Zealand Standard AS/NZS 2293.2:1995; or*
 - *up to four (4) months,*

whichever is greater, without incurring a fine under Regulation 48A(2) of the Building Regulations 2012.

These solutions would ease concerns for practitioners and not expose owners/occupiers to fines for non-compliance.

Although our preference would be for assessments to continue, we need to be alert to the safety concerns of those performing the work.

Delaying the maintenance of certain elements within the tolerances identified in relevant standards does not pose a significant safety risk.

Delaying this beyond the tolerance may pose a risk but we believe a delay at this time would be in line with existing Government advice.

As noted earlier, this would be mostly applied for residential, health care, aged care, education or buildings with designated restrictions. At this stage we expect maintenance would generally continue on commercial and industrial type facilities.

We would appreciate your advice.

Yours sincerely,



Nathan Semos

Chief Technical Officer

Fire Protection Association Australia