

1990 - No. 459

LOCAL GOVERNMENT ACT 1919 - ORDINANCE

(Relating to the fire protection of buildings)

NEW SOUTH WALES



[Published in Gazette No. 82 of 29 June 1990]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Local Government Act 1919, has been pleased to make the Ordinance set forth hereunder.

DAVID HAY
Minister for Local Government.

Commencement

1. This Ordinance commences on 1 September 1990.

Amendment of Ordinance No. 70

2. Ordinance No. 70 under the Local Government Act 1919 is amended:

- (a) by omitting from clause 6.3 (1) the definition of "height" and by inserting, in alphabetical order, the following definitions:

"air-handling system" means any installation of fans, ducts or other equipment designed to control the movement of air for exhausting, ventilating or conditioning an enclosed space;

"height" means:

- (a) in relation to a building, the height from the floor of the lowest storey providing egress to a road or open space to the floor of the topmost storey (excluding the topmost storey if it contains only heating,

ventilating, lift or other equipment, water tanks or similar service units); and

- (b) in relation to a stairway, the height from the floor of the lowest storey served by the stairway to the floor of the topmost storey served by the stairway,
- (b) by omitting from the Table to clause 8.2.1 the matter relating to clauses 50.12 and 55.7 and by inserting instead the following matter:

C1. 55.7..... The matter to be specified in the report by the Director-General of New South Wales Fire Brigades under clause 55.7 (4)-

- (c) by omitting clause 19.13;
- (d) by omitting clause 21.2 (3) and by inserting instead the following subclause:

Fire doors (3) A fire door need not comply with Clause 11 of AS 1905 (Part 1).

- (e) by omitting clause 22.13 (4), (5) and (6);
- (f) by omitting from clause 22.13 (7) the matter “, (3), (4) or (6)” and by inserting instead the matter “or (3)”;
- (g) by inserting in clause 50.7 (1) (b) after the word "with" the matter "AS 1668 (Part 2) or”;
- (h) by omitting clause 50.12;
- (i) by omitting clause 55.7 and by inserting instead the following clause:

Air handling systems
Application 55.7. (1) This clause applies to all buildings that are required to be provided with an air-handling system.

Design and installations (2) An air-handling system is to be designed and installed in a manner that will provide an acceptable indoor air quality and that will not affect the fire performance of the building.

Design requirements (3) The requirements of subclause (2) are to be taken to be satisfied if an air-handling system is designed and installed in accordance with:

- (a) AS 1668 (Part 1); or
 - (b) Ministerial Specification No. 12.
- Fire Brigade report (4) An air-handling system is not to be installed in a building that is more than 25m in height unless the Director-General of New South Wales Fire Brigades has furnished the council with a report to the effect that, in the opinion of the Director-General, the system proposed to be installed complies with subclause (2).
- Compliance certificates (5) On completion of the installation of an air-handling system required to be provided in a building, if the council is not otherwise able to satisfy itself beyond doubt that the whole or any part of the system is acceptable, it may require the submission of a certificate:
 - (a) by a practising mechanical engineer, or another person or body, approved by the council, certifying that the system has been designed and tested in accordance with the requirements of this Ordinance and meets those requirements; and
 - (b) setting forth in detail the bases on which it is given, the extent to which the engineer, person or body has relied on relevant specifications, rules, codes of practice or publications in respect of the design or installation and the date and manner of results and tests relating to the functioning of the system
- (j) by omitting clause 55.7.1 and by inserting instead the following clause:
 - Hot air exhaust Application* 55.7.1. (1) This clause applies to such of the following buildings as are required by clause 50.7
 - (1) (b) to be provided with an air-handling system:
 - (a) any Class III, V, VI, VII, VIII or IX building of Type 1 construction; or
 - (b) any basement portion of a Class II, III, V, VI, VII, VIII, or IX building of Type 2, 3, 4 or 5 construction

- (i) which has a floor area exceeding 1 000m²; and
 - (ii) which is not included in the rise in storeys of the building in accordance with clause 17.1 (5) (b).
 - Design and installation (2) The air handling system must be capable of exhausting hot products of combustion to the outside air, and must be capable of automatically commencing operation in the event of a fire, so as:
 - (a) to facilitate fire brigade access; and
 - (b) to prevent smoke pollution of exits and other parts of the building.
 - Design requirements (3) The requirements of subclause (2) are to be taken to be satisfied if an air handling system is designed and installed in accordance with
 - (a) AS1668 (Part 1); or
 - (b) Ministerial Specification No. 13.
 - Manual over-ride (4) A manual over-ride switch must be provided in a suitable location and must be available to shut down the system or restart the system, as the case requires.
- (k) by omitting clause 55.8 and by inserting instead the following clauses:
- Smoke protection of exits*
Application 55.8. (1) This clause applies to any building (other than a Class 1 or Class X building):
 - (a) that incorporates a fire-isolated stairway, fire-isolated passageway or fire-isolated ramp and that has a height of more than 25m; or
 - (b) that incorporates a fire-isolated stairway, fire-isolated passageway or fire-isolated ramp serving 3 or more storeys that are not included in the rise in storeys of the building in accordance with clause 17.1 (5) (b).
 - Protection of exits (2) Exits are to be protected against the entry of smoke by 1 or more of the alternatives set out in clauses 55.8.1, 55.8.2 or

<i>Pressurising systems</i> Application of AS 1668 (Part 1)	55.8.1. (1) Each fire-isolated stairway, fire-isolated passageway or fire-isolated ramp must be positively pressurised in accordance with AS 1668 (Part 1) by means of a pressurising system designed to operate in the event of a fire in any storey.
Compliance certificates	(2) In the case of any proposal to build under the provisions of this clause, if the council is not otherwise able to satisfy itself beyond doubt that the whole or any part is acceptable, it may require the submission of a certificate: (a) by a practising mechanical engineer, or another person or body, approved by the council, certifying that when completed the system will meet the requirements of this Ordinance; and (b) setting forth in detail the bases on which it is given and the extent to which the engineer, person or body has relied on relevant specifications, rules, codes of practice or publications in respect of the installation.
No openable windows	(3) No openable window or other openable device (other than necessary doorways, windows openable by a key and pressure-controlled relief louvres) are to be constructed in the stairway, passageway or ramp.
Smoke detectors	(4) Where a building, or portion of a building, referred to in clause 55.8 (1) (b) is not fitted with an approved fire alarm system or an approved sprinkler system, the pressurising system must be activated by smoke detectors; (a) that are located both within and outside the stairway at each level; and (b) that are connected to a local fire alarm system that complies with AS 1670.
<i>Open air ventilation</i>	55.8.2. Every means of access to a fire-isolated stairway, fire-isolated passageway or fire-isolated ramp must be by way of an open access ramp or balcony complying with the following requirements:

- (a) it must have an unobstructed ventilation opening to the outside air:
 - (i) that has an area not less than the floor area of the ramp or balcony, and
 - (ii) that is evenly distributed along the open sides of the ramp or balcony,
- (b) it must not be enclosed on its open sides, above a height of 1m, except by means of an open grille, or the like, having a free air space of not less than 75 per cent.

*Fire-protected
lobbies*

55.8.3. Every means of access from within a building (except from a sanitary compartment) to a fire-isolated stairway, fire-isolated passageway or fire-isolated ramp must be by way of a lobby

- (a) which must have a floor area of not less than one-half of the cross-sectional area of the stairway, passageway or ramp; and
- (b) which must be enclosed by walls having a fire-resistance rating of at least:
 - (i) 1 1/2 hours in the case of a Class II or III building or
 - (ii) 2 hours in the case of a Class V, VI, VI VII, VIII or IX building and
- (c) which must have every doorway affording access to it fitted with a self-closing 1-hour fire door which, except in the case of:
 - (i) a Class II or III building; or
 - (ii) a sanitary compartment.,is set to swing in the direction of egress from the building; and
- (d) which must be ventilated by means of a mechanical exhaust system:
 - (i) which is capable of providing a discharge of 42 litres per second per square metre of floor area; and
 - (ii) which has any ducting that is located outside the lobby but within the

building constructed of materials that will impart to the ducting a fire-resistance rating of not less than 1 1/2 hours in the case of a Class II or III building or 2 hours in the case of a Class V, VI, VII, VIII or IX building and

- (iii) which is set to operate by the activation of the system required by clause 27.4; and
- (iv) which serves not more than 2 lobbies on successive floors in the building.

Further provisions concerning pressurising systems and mechanical exhaust systems

55.8.4. Notwithstanding anything to the contrary in this Ordinance, any pressurising system or mechanical exhaust system referred to in clause 55.8.1 or 55.8.2

- (a) may have ducting that penetrates not more than 1 floor; and
- (b) is not to be fitted with any heat or smoke activated damper or other device which may impede the flow of air in the system.

(l) by inserting in clause 55.17 (2) (a) (iv) after the words "which it applies to" the words "inferior walls and";

(m) by omitting from Part 1 of the Fourth Schedule the matter relating to AS 1720 and by inserting instead in Columns 1,2 and 3, respectively, the following matter:

AS 1720	SAA Timber Structures Code	1.7.1990
	Part 1 - Design Methods	

(n) by omitting from Part 1 of the Fourth Schedule the matter relating to AS 1905 (Part 1) and by inserting instead in Columns 1, 2 and 3, respectively, the following matter:

AS 1905 (Part 1)	SAA Fire Door Code Part 1 - Fire-resistant Doorsets	1.8.1986
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(o) by inserting in Part 2 of the Fourth Schedule after the matter relating to Ministerial Specification No. 11 in Columns 1 2 and 3, respectively, the following matter:

1990 - No. 459

Ministerial Specification No. 12	Air Handling Systems	1.7.1990
Ministerial specification No. 13	Mechanical Smoke Control Systems	1.7.1990

EXPLANATORY NOTE

The object of this Ordinance is to amend Ordinance No. 70 so as to vary, in various minor respects, the provisions of that Ordinance that relate to the fire protection of buildings:

- (a) by modifying the provisions relating to air handling systems, hot air exhaustion systems and smoke protection of exits; and
 - (b) by updating references to certain Australian Standards.
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