

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1983, No. 39*

Regulations under the *Fire Service Act*

I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Fire Service Act*.

Dated this 17th day of October, 1983.

E.E. JOHNSTON
Administrator

FIRE SERVICE (FIRE HAZARDS) REGULATIONS

PART I - PRELIMINARY

1. CITATION

These Regulations may be cited as the Fire Service (Fire Hazards) Regulations.

2. INTERPRETATION

(1) In these Regulations, unless the contrary intention appears -

"incinerator or fire place" means an incinerator or fire place that complies with AS 1875;

"spray painting plant" means a spray painting plant that complies with AS 2430.

* Notified in the *Northern Territory Government Gazette* on 28 October, 1983.

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(2) For the purpose of paragraph (b) of the definition of "flammable material" in section 4 of the Act, flammable rubbish, grass, herbage and plants or parts of plants, whether growing or not, are flammable material.

(3) In these Regulations a reference to the abbreviation "AS" followed by a set of numerals or letters, or numerals and letters, is a reference to the Australian Standard, indicated by that group, recommended or adopted by the Standards Association of Australia, together with all additions and amendments thereto, if any, so recommended or adopted before the date on and from which these Regulations took effect.

3. DUTIES OF OWNERS, &c., OF LAND

(1) The occupier, or where there is no occupier, the owner, of land shall ensure that flammable material does not accumulate on that land in such a way that it constitutes a danger by fire to life or property.

(2) The occupier, or where there is no occupier, the owner, of a building or of land on which a fence or structure of a flammable nature has been erected, shall ensure that a space, of sufficient breadth to provide protection against danger by fire to life and property, is kept clear of flammable material around the building, fence or structure.

Penalty: \$1,000.

4. BURNING FLAMMABLE MATERIAL

(1) The owner or occupier of land within a Fire District shall not burn flammable material lying or growing on that land without having first applied for a permit in accordance with sub-regulation (2) unless the material is placed in an incinerator or fire place.

(2) The Director may issue a permit to an applicant under sub-regulation (1) which shall be in writing and which may be subject to conditions endorsed on the permit.

(3) The owner or occupier referred to in sub-regulation (1), to whom a permit under sub-regulation (2) has been issued, shall -

(a) ensure that the ground is cleared before lighting the fire so that there is no flammable material within 4 m of the place where the fire is to be lit; and

(b) comply with the conditions of the permit.

Penalty for an offence against this regulation:
\$1,000.

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5. FIRES IN OPEN

Subject to regulation 4, a person who lights a fire in the open shall -

- (a) light it in an incinerator or fire-place or ensure that the ground is so cleared that there is no flammable matter within 4 m of the place where the fire is to be lit;
- (b) take all precautions necessary to prevent the fire from spreading; and
- (c) not leave the fire until it has been extinguished.

Penalty: \$1,000.

6. SPRAY PAINTING PLANT

(1) The occupier of a building in which a spray painting plant is used or demonstrated for sale shall ensure that -

- (a) no other spray painting plant is used or demonstrated for sale in the same booth or room at the same time as that spray painting plant;
- (b) adequate ventilation to prevent a concentration of flammable vapour is provided for the booth or room in which the spray painting plant is used or demonstrated for sale; and
- (c) a notice prohibiting smoking is prominently displayed in the room in which the spray painting plant is used or demonstrated for sale.

(2) A person shall not smoke in a booth or room in which a spray painting plant is used or demonstrated for sale.

Penalty for an offence against this regulation:
\$1,000.

7. STACKED CONTAINERS

The occupier of land on which empty cases, boxes, cartons or other containers of a flammable nature are stacked in the open shall ensure that each stack -

- (a) is not more than 2 m high;
- (b) is built on a base not more than 2 m wide;
- (c) is accessible on all sides by means of a passageway at least 1 m wide; and

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- (d) is distant not less than 2 m from the boundary of the land.

Penalty: \$1,000.

8. STACKED TIMBER AND CORDWOOD

The occupier of land on which sawn timber or cordwood is stacked in the open shall ensure that -

- (a) each stack is not more than 3 m high;
- (b) each stack is built on a base not more than 2.5 m wide;
- (c) each stack is accessible on all sides by means of a passageway at least 1.5 m wide;
- (d) the ground is so cleared that there is no flammable matter within 4 m of the stacked timber; and
- (e) each stack is distant not less than 2 m from the boundary of the land.

Penalty: \$1,000.

9. STACKED FLAMMABLE MATERIAL

The occupier of a building in which bulk flammable material is stored, whether loose or packed in cases, bags, cartons or boxes, shall ensure that -

- (a) the flammable material is stored in bays;
- (b) the dimensions of each bay do not exceed 3 m in length or in width;
- (c) if the bay in which it is stored is an enclosed room, the top of each stack is at least 0.75 m below the ceiling of the room;
- (d) there is a clear passageway at least 0.5 m wide between each bay; and
- (e) where the flammable material includes kapok, hay, fibre or cotton wadding, it is stored in a dry condition and kept free from damp.

Penalty: \$1,000.

10. FLUES

The occupier of a building in which a fume or exhaust flue has been constructed shall ensure that the flue is -

- (a) fitted with inspection ports;

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- (b) inspected regularly; and
- (c) cleaned regularly.

Penalty: \$1,000.

11. WELDING SETS

The occupier of a building in which a welding set is in use shall ensure that while the set is being used -

- (a) a fire extinguisher of an approved type is readily accessible to the person using the set; and
- (b) where there is a possibility of danger by fire to life or property, a protective screen surrounds the set.

Penalty: \$1,000.

12. OILY WASTE

The occupier of land or a building used as a factory, workshop, service station, engine-room, power station or shipyard shall ensure that -

- (a) adequate steel containers are provided for all polishing cloths, oil-soaked rag or oily waste; and
- (b) the containers so provided are fitted with secure tightly fitting lids.

Penalty: \$1,000.

13. DUTY OF OCCUPIERS OF MULTI-STOREY BUILDINGS

(1) In this regulation, "multi-storey building" means a building constructed with more than one storey above or below the ground level.

(2) Where a person is employed to work in a multi-storey building, the occupier of the building shall ensure that the person is, within 30 days after the commencement of these Regulations or commencing his employment, whichever is the later, and thereafter at intervals not exceeding 12 months during his employment in the multi-storey building, given instruction concerning measures for the protection of persons in the building from fire.

(3) The instruction referred to in sub-regulation (2) includes information relating to -

- (a) the means of escape from the building and access thereto;

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- (b) the siting and method of use of fire fighting equipment available in the building;
- (c) the siting and method of operation of warning apparatus in the building;
- (d) the conducting of other persons to the means of escape referred to in paragraph (a) or a place of safety; and
- (e) the methods of accounting for persons and reporting to the person for the time being in charge of the building or the Director.

(4) The occupier of a multi-storey building shall cause to be maintained and kept at the building in accordance with sub-regulation (5) a book containing a record of -

- (a) the information to be given to persons employed in the building;
- (b) the name of the person responsible for giving instruction and the date on which such instruction was given;
- (c) the names of the persons or a group description by reference to occupation or calling of the persons who were given instruction referred to in paragraph (b) and a statement of the kind of instruction they were given.

(5) The book referred to in sub-regulation (4) shall be -

- (a) kept in a container that is non-flammable and may reasonably be expected to preserve the book from destruction in case of fire;
- (b) maintained for a period of not less than 12 months from the latest entry in the book unless otherwise approved; and
- (c) shall be produced on demand for inspection by the Director or a person authorized by him for the purpose.

Penalty for an offence against this regulation:
\$1,000.
