



QLD: Q&A Fire Regulations and Fire Door Compliance

This article provides a variety of Q&As about fire audits plus fire door compliance and regulations for QLD apartments, units and townhouses.

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Question: If a lot owner fails to complete a required fire door inspection, how does this affect the building's compliance and insurance, and who is responsible if a claim is denied — the body corporate or the owner?

A notice was sent to all owners and residents one month in advance for a scheduled fire door inspection. One lot was non-compliant because the technician was unable to access the unit after multiple attempts on the allocated day and time. The body corporate has since contacted the owner to reschedule the inspection—at their own cost, as stated in the original notice—but the owner has not followed through.

If the inspection isn't completed, how does this impact the building's overall compliance and insurance coverage? In the event of a fire, who would be responsible for rectification and costs if an insurance claim is denied due to the non-compliant lot — the body corporate or the individual lot owner?

Answer: The body corporate should document all attempts made to access the unit and seek legal advice or a dispute resolution pathway under the Act.

In this situation, the primary responsibility to maintain compliance rests with both the body corporate and the individual lot owner, depending on the specific legislative requirements and what the door services. Is the fire door in question part of the common property (e.g. entry doors to units in many apartment buildings)? If so, the body corporate typically holds ultimate responsibility for ensuring inspections and maintenance are completed in accordance with the *Building Fire Safety Regulation 2008* and relevant Australian Standards (AS 1851-2012). However, if the owner denies access and fails to reschedule after reasonable efforts have been made, this can complicate matters.

From a compliance perspective:

- The incomplete inspection technically leaves the site non-compliant, as all fire doors are required to be inspected and maintained at the prescribed intervals.



- Continued failure to inspect may be seen as a breach of the body corporate's statutory obligations, even though the owner has contributed to the situation.

From an insurance perspective:

- If a claim arises directly related to the non-inspected or non-compliant door, the insurer may investigate whether reasonable steps were taken by the body corporate to maintain compliance.
- Insurers could potentially deny part or all of a claim if they determine that non-compliance contributed to the loss or increased the risk.
- Some insurers may cover the loss but reserve the right to recover costs from responsible parties (either the body corporate or the owner).

Responsibility for rectification and payment:

- If the door is common property, ultimately, the body corporate may need to engage legal options to compel access as part of its obligation to maintain compliance.
- The owner may be liable for costs incurred due to their refusal or failure to provide access as per the initial notice.

I would recommend the body corporate formally document all attempts made to access the unit and seek legal advice or a dispute resolution pathway under the *Body Corporate and Community Management Act 1997* if the owner continues to be non-compliant. This protects both compliance obligations and potential insurance coverage.

Stefan Bauer

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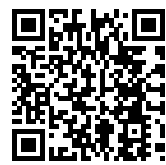
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This post appears in the [August 2025 edition of The QLD Strata Magazine](#).

Question: If the body corporate paints the inside and outside of the fire door, can an owner repaint the inside of the door with a colour of their choice?

Our strata scheme is a building format plan under the accommodation module.



For fire doors located in a boundary wall between a lot and common property, is painting the inside of the fire door and the fire door frame an owner's responsibility?

If the body corporate paints the inside and outside of the fire door, can an owner repaint the inside of the door with a colour of their choice?

Answer: Fire doors don't come cheap, so tread carefully.

The fire door, including the frame, would usually be considered body corporate property in its entirety. The rationale is that the body corporate needs to guarantee the door's integrity to ensure it does its job, which is to prevent the spread of fire.

The body corporate may not mind if you paint the door inside your lot, but you should check this with the body corporate and the fire contractor. I expect that the response of the fire contractor will be critical. The body corporate may be indifferent to the internal colour of the door, but if you damage it, perhaps by using the wrong type of paint or covering the door's information tag, you could find yourself responsible for the replacement of the door. Fire doors don't come cheap, so tread carefully.

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This post appears in the [June 2025 edition of The QLD Strata Magazine](#).

Question: Who is legally obligated to ensure that fire-rated entry doors undergo regular testing, tagging, and annual inspections?

Answer: In an apartment building, the responsibility typically falls to the body corporate.

In an apartment building, the responsibility for the test and tag/annual inspection of fire doors typically falls to the body corporate. The body corporate is responsible for the maintenance and compliance of common property, which includes fire safety.

However, for safety installations, individual unit owners might also have some responsibility for the fire doors in their own units, i.e. provide access, not installing additional door hardware, etc.

It's important to consult local regulations and the [specific bylaws of the body corporate](#) for precise responsibilities.

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This post appears in the [May 2025 edition of The QLD Strata Magazine](#).

Question: Can we purchase fire panel batteries for our contracted fire services company to install?

As per AS1851, our fire panel and diesel pump room batteries need replacing every 2 years. Can our body corporate purchase the replacement batteries through a certified supplier for our contracted fire services company to install? There will be considerable cost savings if we purchase the batteries.

Answer: We strongly recommend coordinating with your contracted fire services company to supply and install the batteries.

While I understand the desire to achieve cost savings by sourcing the replacement batteries directly, it is important to note that the installation and servicing of fire safety equipment is classed as fire protections work under the legislation and therefore must be carried out by licensed and certified technicians. This is a requirement to ensure compliance with the Building Fire Safety Regulations.

Additionally, performing this work without the involvement of a licensed professional could leave the body corporate legally vulnerable and impact the insurance coverage.

We strongly recommend coordinating with your contracted fire services company to supply and install the batteries to guarantee proper installation and continued compliance. This ensures the safety of the building and its occupants while also safeguarding our insurance coverage and meeting legal obligations.

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This post appears in the [March 2025 edition of The QLD Strata Magazine](#).

Question: What does the Qld legislation say about fire damper inspections?

We live in a 10-story, 20-year-old complex in Qld with 60 units. Our units' exhaust vents are ducted to the main risers. In the event of a fire, a fire damper closes at the junction with the riser to prevent fire from spreading into the riser or into an apartment.



We've been told that 20% of units must be inspected each year for the next five years to confirm the dampers work. If more than 10% of the sample is deficient, all dampers must be checked in the next 12 months.

We have never been inspected for this previously. Is this a new QLD law?

Answer: Check with your building or strata management to confirm the inspection schedule and ensure that the required inspections are carried out in accordance with the standard.

The situation you're describing is not a new law, but rather a combination of fire safety regulations, standards, and maintenance requirements that have been in place for some time. The key legislation here is AS 1851-2012, the Australian Standard for Routine Service of Fire Protection Systems and Equipment. This standard outlines the requirements for fire protection system inspection, testing, and maintenance, including fire dampers.

Under AS 1851-2012, fire dampers (such as those in the exhaust vent system of your complex) must be regularly inspected to ensure they remain functional in the event of a fire. This includes testing their operation and checking for any deficiencies that might impair their performance. The standard requires that at least 20% of fire dampers in a building must be inspected every year, and this should continue over a 5-year period to cover all dampers in the building.

While the AS1851-2012 standard has been around for a number of years, it's possible that your building has not undertaken regular inspections of its fire dampers. Fire safety regulations have become increasingly stringent over time, especially after the Grenfell Tower fire in the UK and other similar incidents globally. This has increased the emphasis on ensuring that all fire protection systems, including dampers, are regularly checked and maintained.

MP6.1 (Mandatory Part) has called up AS1851 since its inception and therefore the requirements of the AS1851 are law. The obligation for regular inspections of fire dampers under AS 1851-2012 has been in place for years, though enforcement and awareness may have become more rigorous in recent times. If your building has never been inspected for fire dampers before, it may simply be that the complex is now coming into compliance with these long-standing regulations.

Check with your building or strata management to confirm the inspection schedule and ensure that the required inspections are carried out in accordance with the standard. If your building is part of a body corporate, it may be worth having a qualified fire safety consultant assess the situation and assist with ensuring compliance with both the standard and any local fire safety laws.

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This post appears in the [February 2025 edition of The QLD Strata Magazine](#).

Question: Can a body corporate for a class 1A building estate face legal liability for implementing fire safety measures?

Community title schemes that consist of only class 1A buildings are excluded from having formal fire evacuation procedures. This places the responsibility on the individual lot owners.

If a body corporate committee for an estate consisting of only class 1A housing puts in place its own procedures or purchases fire fighting equipment when they are not required by law, can this create a potential litigation risk to the body corporate in the event someone is hurt or killed following these procedures or using equipment?

Answer: The maintenance is up to the occupier.

In class 1 & 1A buildings, the level of fire safety preparedness is up to the occupier. Each occupier can adopt a level of preparedness as they see fit. This includes establishing an emergency plan and obtaining fire extinguishers, fire blankets and pan fire sachets.

The maintenance is up to the occupier, as these items are not prescribed for class 1 & 1A buildings under the fire safety legislation. It is, of course, recommended that a regular maintenance regime be adopted.

The same applies to extinguishers installed in the common area of a class 1A complex. There is no breach under the fire safety legislation if they are not maintained. Other parts of Queensland legislation may apply, but that is a question for a lawyer.

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This post appears in the [December 2024 edition of The QLD Strata Magazine](#).

Question: If a building was certified for occupation without extinguishers in common entries, do we need to conform with current regulations?

Our scheme of seven lots was built in 2001 and a Certificate of Occupancy – Form 11 was issued. The certificate covered two three-level buildings. Neither had fire extinguishers in



the common entry. I believe these are now required.

If the buildings were certified for occupation without extinguishers in common entries, do we need to conform with current regulations?

Answer: Rarely are new changes to legislation retrospective.

It is correct that the building has to comply with the building code of the date of construction. Therefore, if the building has been approved without extinguishers, there is no requirement to install them. Rarely are new changes to legislation retrospective.

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This post appears in the [June 2024 edition of The QLD Strata Magazine](#).

Question: Our apartment block with 15 lots has a fire exit from our basement parking to the pool area. The body corporate recently put a padlock on this gate. Can they restrict an emergency exit? I'm concerned about fire safety.

Answer: Prescribed exits can not be locked or require opening with a key.

In any building, whether residential, commercial, or industrial, ensuring the safety of occupants is paramount. In the unfortunate event of a fire, having designated fire exits can make all the difference between a managed evacuation and a potential disaster.

Prescribed fire exits in buildings are strategically planned escape routes designed to facilitate safe and efficient evacuation during emergencies. Understanding the significance of prescribed fire exits within buildings is crucial for occupants and building managers to mitigate risks and ensure preparedness for unforeseen circumstances.

Therefore, prescribed exits can not be locked or require opening with a key. These doors must be openable by a single handed, downward or pushing action. Emergency exits will have an exit sign above or adjacent to the door and are also identified on the building's evacuation diagrams. The *Building Fire Safety Regulation 2008* set out the requirements for exit doors in [section 10](#).

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This post appears in the [May 2024 edition of The QLD Strata Magazine](#).

Question: Our annual fire door inspection highlighted the need for door stops to be fitted to the fire doors leading from our garage. Why hasn't this been mentioned previously? Is it a legal requirement?

Our annual fire door inspection resulted in a \$4500 quote to have fire door stops fitted to four fire doors in the garage. The fire doors lead to our complex's stairwells. The inspection company have never mentioned fire door stops in previous audits. Are these a legal requirement, and why have they not previously been required?

Answer: The quoted \$4500 for four fire door stops sounds excessive and should be looked into.

The details provided are a little vague to be able to provide an informed response. Without further detail, the quoted \$4500 for four fire door stops sounds excessive and should be looked into. Many factors may determine whether the door stops are legally required, such as age, size and construction type of the building. Why has this not been brought up before? It could be for a range of reasons, from an oversight during the construction or handover stage, missing baseline records or the incorrect standards or legislation applied during the last fire door inspection.

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This post appears in [the December 2023 edition of The QLD Strata Magazine](#).

Question: I regularly use our fire stairs to come and go. Our body corporate has alarmed the doors and will be issuing fines for activating the alarm. Is this legal?

I live in a 7-story residential apartment. For exercise, I use the staircase regularly to come and go. The staircase is also the emergency exit route in a fire.

Our body corporate has advised that the external doors will be alarmed and they will issue fines if the doors are opened. Is this legal?

Answer: A body corporate cannot issue fines.

Stefan Bauer, Fire Matters:



The fire legislation does not prevent the building owner/occupier from placing an alarm on doors as long as it does not restrict an occupier's egress .

Chris Irons, Strata Solve:

You might like to have a look at the resources, provided by [Queensland Fire and Emergency Services about building owners and occupiers](#). There is a fact sheet about fire doors.

Based on your reading of that, you might like to have a conversation with your body corporate about what is and is not possible. If you are an owner, you can [submit motions to meetings](#). The body corporate is responsible for the management of common property – which these doors likely are – and also must act reasonably in everything they do. 'Acting reasonably' means taking into account their responsibilities under relevant fire safety legislation.

A body corporate itself cannot issue fines. Whether the body corporate can pass on a fine it receives to the person it considers responsible is another matter, potentially.

This is general information only and not legal advice.

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This post appears in [the November 2023 edition of The QLD Strata Magazine](#).

Questions: Our small scheme was built around 2000. It has passed all fire inspections, but the most recent inspection indicates many fire doors are not compliant. How can this be? Have Standards changed?

I am Chairman of a small strata scheme with seven lots in a two-story, Class 2 building built in the early 2000s. The building has passed fire door compliance checks for the last two decades without issue.

The recent annual inspection has indicated many of the fire doors (from apartments to internal stairwell) no longer comply with the 10mm gap from the bottom of the door to the floor. How can the doors be compliant for 20 years, and now they are not? The doors have



not changed.

The building was certified for occupancy in 2003, so presumably, it met existing fire ratings at that time. Has there been an update to building codes or legislation recently requiring doors to be retroactively brought into compliance?

If the original code was met at the time of certification, isn't this for the life of the building? There have been no changes to the building in this time, i.e. DA's or other modifications.

Our committee is concerned we may not need these costly upgrades.

Answer: If the doors have passed since 2003, we must consider what has changed.

It is correct that the fire doors need to comply with the Australian Standard of the day of construction or the manufacturer's approved design. It comes down to having the baseline data for the building available for the service technician so a correct assessment can be done during routine maintenance. Any changes to a fire safety installation may be completed to a more recent Australian Standard.

If the doors have passed since 2003, we must consider what has changed. How much do the doors differ in size since the last inspection? Has the floor covering changed? Has the service technician undertaken the correct assessment? Some manufacturers have approval for measurements outside the ones set out in AS1905. The service records of the last years may give an indication. To confirm compliance, you may need to source the approval documents from the day of construction.

Most fire doors are made of wood and respond to the weather conditions, i.e. if we had a prolonged period of dry weather, fire doors have been known to shrink a few mm. This may not occur in air conditioned buildings.

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This post appears in [the October 2023 edition of The QLD Strata Magazine](#).

Question: If our fire doors were compliant in 1999 and owners have since installed deadlocks, are the doors still compliant, or do they need to be replaced?

The Certificate of construction for our building states the build as 1999. It's a Class 2 build with eight units and two stairwells. Our doors are now classed as non-compliant because they all have deadbolt locks with a knob set below. Owners can't afford to replace the



doors.

How do we know if the fire doors passed compliance at the time of the build? If the doors were compliant in 1999, do they have to comply with the current standard?

Answer: The deadbolt may be able to be replaced with a compliant door lock mechanism.

After the installation of a prescribed fire safety system, the installation is required to be certified, stating that the material and installation methods comply with the requirements of the day. This certificate would be required to confirm if the door hardware was compliant on the day of construction.

Deadbolts could prevent the fire door from latching in the closed position and are therefore not permissible.

Door knobs may be compliant as per AS1905.1-1997. However, this would need further investigation to be confirmed.

The fire doors may not need to be replaced unless they [contain asbestos](#). If not, the deadbolt may be able to be replaced with a compliant door lock mechanism.

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This post appears in [the July 2023 edition of The QLD Strata Magazine](#).

Question: The fire doors in our 3 year old complex are not complaint and must be replaced. How long should fire doors last without being replaced if properly maintained? What action can we take?

I live in a three year old complex of 63 units. We have been advised some of the fire doors are not compliant and have to be replaced at a cost of \$60,000. Is this cost the responsibility of the Body Corporate or individual property owners?

How long should fire doors last without being replaced if properly maintained? The warranty on the doors was for only 12 months.

We understand that if they are not replaced and a fire does occur, we will not be covered by the insurance. What action can we take?



Answer: The expected life of a fire door is around 10-15 years provided no damage or unauthorised alterations have been made.

The expected life of a fire door is around 10-15 years provided no damage or unauthorised alterations have been made. In saying this, I am aware of unit complexes with fire doors in excess of 20 years.

For a complex less than 3 years old, it would be quite unexpected for fire doors to be non-compliant. Without any detailed knowledge of the defects, it is hard to comment, however, if these doors have been incorrectly installed during the initial installation it could well be the responsibility of the builder to rectify any issues. Additionally, it is important that the correct performance requirements have been assessed.

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This post appears in [the April 2023 edition of The QLD Strata Magazine](#).

Question: My 1 bed, rented unit in a complex in Brisbane is due for a regular fire door inspection soon. Is it the landlord's responsibility to provide access to the property if the tenant is not cooperating?

Answer: The property manager may be best-placed to encourage more co-operation with something like this.

Queensland's legislation provides for tenants to have their own relationship with a body corp as occupants of a lot. This is independent of the lot owners' various rights and obligations, so tenants can't 'hide behind' their property manager or landlord. With that said, the property manager may be best placed to encourage more cooperation with something like this, or potentially arrange keys/access with the correct notice or tenant's consent.

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This post appears in [Strata News #630](#).

Question: What is the legal requirement for evacuation diagrams in Qld body corporate buildings?



For a 1979 Class II Queensland three-storey walk-up building comprising 6 residential lots with one evacuation route and being subjected to the Building Act 1975, is there a LEGAL requirement for evacuation diagrams?

Answer: Any building with more than 300 sqm under the roof is required to have Evacuation diagrams irrespective of when it was built.

The answer is yes, any building with more than 300 sqm under the roof is required to have Evacuation diagrams irrespective of the date when it was built. The purpose of evacuation diagrams is to advise occupants of the emergency procedure for the building as well as the location of any fire reference points and the assembly area for the building.

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This post appears in Strata News #.

Question: Do more fire testing legislation and more licensing for Qld strata buildings just mean more costs for body corporates?

Answer: 90% of the time we don't use any of the fire equipment installed in the building, but if you do have a fire, you wanted the equipment well maintained and working.

What we have to bear in mind is that the new legislation applies to life safety equipment. It comes down to building asset protection and also the equipment that firefighters need to do their job. There may be big cost implications and 90% of the time we don't use any of the fire equipment installed in the building, but if you do have a fire, you wanted the equipment well maintained and working. Fire safety equipment is not a luxury item that we can do without. If you live on level 35 and a modern high rise building, and there's a fire in the building, you want to know that the fire alarm system and all associated interconnect systems have been tested and are working.

In the past, checks could have been as easy as just ticking a few boxes and going "Yeah, it'll be alright". These days, fire contractors have got to put their licence number under their signature and say, "I've tested this". And it's not the company that is responsible, it's the individuals themselves that sign a statement saying, "Yes, it's all in working order". I do understand the cost implications, but, the bigger the building, the higher the cost, the smaller the building, the smaller the costs.



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This post appears in [the December 2022 edition of The QLD Strata Magazine](#).

Question: Our complex is a building format plant. Would the fire door that is contained wholly within the lot be a lot owner's responsibility to maintain and repair?

Our complex is a building format plant. Most of the apartments gain access via a gate leading into a private entry foyer with a fire rated door as the secure entry to each lot.

On the CMS plan, the entry foyer area is clearly shown as part of the lot, so that the gate and external foyer wall are the shared boundary between the lot and the common property.

Would the fire door that is contained wholly within the lot be a lot owner's responsibility to maintain and repair?

Answer: Yes. A lot owner must maintain their lot.

Yes. A lot owner must maintain their lot; [s211](#) Standard Module.

If the lot is created under a building format plan, then the body corporate must maintain parts of the lot, which are not common property, if they fulfil what Adjudicators have called a 'whole of building' function, such as waterproof membranes, foundation structures etc and which are detailed in [s180\(2\)](#) Standard Module. A fire door inside the lot, and not a common boundary, does not, in my view, fall into the categories in that section (despite it fulfilling a 'whole of building' function – being to slow the progress of fire!).

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This post appears in [the November 2022 edition of The QLD Strata Magazine](#).

Question: An owner changed the door lock. When an emergency occurred, the Fire Department gained access by breaking down the door as they could not use the master key. Who pays to replace the door?



In a body corporate building where unit locks are part of the security system, a unit owner changed the door lock. The key is no longer part of the body corporate system.

In an emergency situation, the Fire Department broke down the unit door because access was not available. The Fire department has a master key to the building for emergency use.

Who is responsible for the door replacement cost? Is it the Body Corporate or the unit owner?

Answer: In a genuine emergency situation where a lot owner's property has been damaged, the costs to replace/fix the property will be borne by the lot owner.

In a genuine emergency situation where a lot owner's property has been damaged, the costs to replace/fix the property will be borne by the lot owner.

In *Burleigh Beach Tower* [2009] QBCCMCmr 163, the Adjudicator held that the body corporate is not permitted to [master key](#) the locks to each lot in order to be able to exercise its emergency access right under [section 163](#) of the BCCMA. This case affirmed the decision in *Trafalgar Towers* [2004] QBCCMCmr 153 where the Adjudicator relevantly held (our emphasis):

"It goes without saying that if there were an emergency and access was required to a lot that was not master keyed, then if the owner or occupier of the lot in question was not at home, access would have to be gained by other means, whether by a locksmith or by an emergency service such as the Fire and Rescue Service. The applicant acknowledges such a possibility. Provided it could be shown that it was a genuine emergency and access to the lot was in fact necessary, then the cost of gaining access by such alternative means would most likely be payable by the owner or occupier in question."

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This post appears in [the October 2022 edition of The QLD Strata Magazine](#).

Question: Drafts come under our front fire door. Can we fit a draft stopper while not breaching fire door regulations?

Our front fire door has a generous gap at the bottom. The space is very close to, if not a little larger, than the maximum allowed. At times, a strong draft comes under the door. Is there a draft-stopping product we could use that would not breach fire door regulations?



Answer: Contact the manufacturer and check which door seals are approved for the door.

Yes, there are fire door seals available. It is important to ensure that the seal is approved on the fire doors installed.

The tag on the spine fire door/frame will show the manufacturer of the door. It is best to contact the manufacturer or the local agency and check with them which door seals are approved on their doors. It is important to keep the approval documentation so the door seal will not fail the next fire door inspection.

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This post appears in [the July 2022 edition of The QLD Strata Magazine](#).

Question: At a recent fire inspection, we found out the unit entry doors in our building are not compliant due to the gap around the door frames. We have the certified Certification of Occupation from when the building was constructed in 2010. Do we need to replace the doors?

I own and reside in a unit that is in a complex of six. There is a main entry to the foyer and all unit entry doors are off the foyer. It is a two level building. We had a fire inspection and each unit entry door has compliance issues, particularly with the gap around the door frame.

One unit door has a much bigger gap and the whole door requires replacement. Do we need to have each door repaired/replaced if we have the Certification of Occupation signed by a building certifier when the building was constructed in 2010?

Answer: The owner/occupier must repair/replace any fire door to ensure the safety of the building's occupants.

The simple answer is yes, the owner/occupier must repair/replace any fire door to ensure the safety of the building's occupants. This is set out in the Building Fire Regulations and penalties apply.

In regards to the gaps around the door and frame, it is important to check the allowable gaps that the door has been approved to. There are fire doors that have been certified with a gap greater than that prescribed in AS1905 on the day of construction and may therefore be compliant. If the information is not on site, the fire door certification is part of the



building's approval process and the information should be available in the approval documents.

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This post appears in [the June 2022 edition of The QLD Strata Magazine](#).

Question: What is required of a fire warden within our body Corporate?

Answer: The responsibilities of a fire warden are dependent on the building's emergency procedure.

There is no simple answer to this question. In general, the responsibilities of a fire warden are dependent on the building's emergency procedure. These may be different depending on the type of occupancy and the building size and height.

As part of the emergency control organisation, the warden should be familiar with what to do if an emergency situation occurs. Depending on the emergency, the warden should implement the emergency procedure and communicate the relevant information with the other members of the emergency control organisation. The warden should also be familiar with the operation of any fire safety installation within the building. Wardens should also partake in any pre/post emergency meetings.

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This post appears in [the May 2022 edition of The QLD Strata Magazine](#).

Question: After installing a smart lock device to our main apartment access door, we discovered that installation was not allowed. Is there a good workaround for the building manager?

We fitted a Smart Lock device to our access door for our apartment. The smart lock allows us to access the door using a pin code, swipe card or key.

A month after installation, we discovered we are not allowed to fit anything to the door as it is classed as an egress fire door. We've offered to give the Building Manager a key or to modify the device to allow anyone holding the master key to gain entry. The locking device



is fire rated.

Is this workaround acceptable? The Building Manager is concerned.

Answer: Electronically locked doors must have a manual push-button release at the door which should be labelled “Emergency Door Release”.

Any door in the egress path within a building must be openable without a key from the internal side using one device that can be operated by one downward or pushing action using one hand.

There are locks available that still restrict access entering the building but are openable via lever action from the inside. These types of locks are the most commonly used in these situations.

Electronically locked doors must have a manual push-button release at the door which should be labelled “Emergency Door Release” to release the door. In some instances where a smoke detection system is installed, the electronically locked doors are interfaced with the detection system and released upon alarm activation. These are the only available option within the Building Code of Australia.

Finally, exit doors in a building are unlikely to be fire doors so the door hardware does not need to be fire rated.

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This post appears in [the December 2021 edition of The QLD Strata Magazine](#).

Question: Are you permitted to shave off a section of a fire-rated door? If so, what procedures do we need to take to ensure the door is Fire Safety compliant?

We are installing flooring over a tiled entrance which is accessed through a fire door. To enable the door to open and close the fire door would need to be shaved. Is this permitted? If so, what procedures do we need to take to ensure the door is Fire Safety compliance?

Answer: If you need to remove more than a 10mm threshold, the manufacture should be able to alter the door to suit.



On average manufacturers have a 10mm threshold (lip) around the outside edges of a fire door that should not be compromised. Should more than 10mm be required to allow for the floor covering the manufacture should be able to alter the door to suit by removing the lip and reinstating it once the door has been cut to size?

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This post appears in [the October 2021 edition of The QLD Strata Magazine](#).

Question: At our recent fire inspection and my unit fire door failed to meet standards due to a deadbolt. I have friends with deadbolts on their unit door. Do rules vary for different buildings?

I am an owner-occupier of a unit (Class 2 building) built in 1989 & have had a recent fire inspection and my unit fire door has failed to meet standards due to the presence of a deadbolt. The deadbolt was put in place 18 months ago when I moved in and the fire audit 12 months ago failed to identify it as non-compliant.

I'm confused as I have friends living in units of similar age and in units in newer buildings who have deadbolts on their unit doors that are permitted.

Is there different legislation covering different units of varying age?

Answer: Deadbolts are not permissible on fire doors. Not every unit door is a fire door.

Not every unit door is a fire door. This is depending on the building design.

Deadbolts are not permissible on fire doors. The reason is that if the deadbolt would be extruded it would prevent the fire door from fully latching, therefore placing occupants and the building at risk. The primary lockset must be an approved lock for the fire door construction. A secondary lock can be fitted providing it does not compromise the fire rafting of the door.

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This post appears in [Strata News #486](#).



Question: When reading the QFES guidelines for a Class 2 building, our new block of units appears to be deficient in a couple of areas. Who Should pay to rectify this?

Our new block of units appears to be deficient in a couple of non-serious areas when reading the QFES guidelines for a Class 2 building. The missing items seem to be things like written evacuation procedures and evacuation signage.

Our Body Corporate management company is telling us that the body corporate has to pay for these to be implemented. Surely the original owner, the developer from whom we all bought our properties, should have sold us our properties with these in place. As this did not happen, surely they should pay for these items?

The developer appointed the Body Corporate management company and I don't feel a lot of help may be coming our way.

Answer: The emergency plan for a building must be compiled by the occupier and can not be completed by the builder.

The emergency plan for a building must be compiled by the occupier and can not be completed by the builder. In other words, it's the responsibility of the Body Corporate.

Evacuation Diagrams are usually part of the final certification and should be installed before a place is legally occupied. However, this is depending on the certifier. Some include the diagrams, others certifiers do not.

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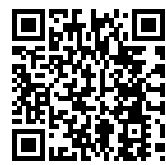
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This post appears in [the June 2021 edition of The QLD Strata Magazine](#).

Question: What are the Body Corporate's responsibility and authority to keep a fire exit doorway clear?

What are the Body Corporate's responsibility and authority to keep a fire exit doorway clear of vehicles. I understand it is not advised for us to tow however, this particular exit is the main one for a 12 story building and whilst it is unlikely we will need it, we do have a responsibility to keep it clear. Where do we stand with this?

Answer: Building Fire Safety Regulation places the responsibility on the occupier to undertake reasonable steps to ensure that a person does not obstruct an evacuation route



The Building Fire Safety Regulations section 7 – do not allow a “Person” to place a “thing” within 2m of the final exit outside of a building, or in any other place on the evacuation route that is likely to restrict, hinder or delay a person using the evacuation route.

When deciding if an object in an evacuation route is likely to hinder or delay a person, regard must be given to the number, the mobility of the person (s) that would use the evacuation route.

Section 8 & 9 of the Building Fire Safety Regulation places the responsibility on the occupier to undertake reasonable step to ensure that a person does not obstruct an evacuation route.

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This post appears in Strata News #483.

Question: What are the responsibilities of the Committee in relation to Fire Regulations? What do we have to do in regards to inspections on an annual basis?

Our complex has 8 units over 3 levels. There is no onsite manager.

What are the responsibilities of the Committee in relation to Fire Regulations? What are the fire equipment, etc requirements of a building this size? What do we have to do in regards to inspections on an annual basis?

Answer: It is the Body Corporate responsibility to have fire safety installations maintained by entering into a service contract with an appropriately qualified contractor.

The Body Corporate should establish what fire safety installations are installed within a building. It is the Body Corporate responsibility to have these maintained by entering into a service contract with an appropriately qualified contractor.

All maintenance documentation must include the required information as set out in QDC MP6.1 and the Qld Building Fire Safety Regulations to be compliant. The documentation must be kept for a minimum of 2 years as set out in Qld Legislation (7 years as per AS1851-2012). The maintenance frequencies are depending on the fire safety equipment type.



In addition to the routine maintenance of fire equipment, the body corporate must establish an emergency plan and procedure for the building and must facilitate an annual evacuation exercise.

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This post appears in [the May 2021 edition of The QLD Strata Magazine](#).

Question: A lot's entry door needs to be replaced. It was not required to be a fire door at the time of the building's construction and it does not open onto a fire escape. Does the legislation require the doorway to be made fire compliant?

In Queensland, if a lot's entry door is replaced, and it was not required to be a fire door at the time of the building's construction, and it does not open onto a fire escape, is there legislation requiring the doorway to be made a fire compliant doorset?

If so, can a security screen which was fitted to the original door frame be re-fitted to the frame of the fire doorset? If no and Australian Standards do not allow this, would it be prohibited in all States?

Answer: A building should be inspected and maintained to the standards and the building code it was originally designed to comply with.

It is impossible for me to comment in-depth on this, without having inspected the building.

A building should be inspected and maintained to the standards and the building code it was originally designed to comply with.

Screen doors are not tested on a fire door assembly, and therefore not considered compliant with AS 1905.1 and would be prohibited in all States.

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This post appears in [the March 2021 edition of The QLD Strata Magazine](#).

Question: What action can I take for the committee not



approving the replacement of expired fire extinguishers?

What action can I take for the committee not approving the replacement of expired fire extinguishers?

Our inspections are done every 6 months and there were 3 reports sent to the committee that the fire extinguishers are expired.

Answer: If a fire extinguisher is damaged or due for replacement it must be maintained in proper working order. If it is due for replacement it must be replaced.

To report someone failing to adhere to the regulation, contact the following QFES Community Safety Department, if located in Brisbane send an email to QFES.brbao@qfes.qld.gov.au if a different region call the number in the required region. Find your region here: [Building Fire Safety](#)

The failure to maintain fire equipment could also impact the building insurance, below is the legislation that covers the requirement to have the fire extinguisher maintained.

Under Queensland law a fire extinguisher must be maintained in accordance with the Queensland Development Code (QDC MP6.1). The code states that the Routine Service of fire protection systems is in accordance with AS1851:2012. The Building Fire Safety Regulation 2008 reference the QDC MP6.1, Queensland Fire & Emergency Act 1990 states the penalties for not maintaining fire installation in accordance with the regulations. If a fire extinguisher is damaged or due for replacement it must be maintained in proper working order. If it is due for replacement it must be replaced.

QDC MP6.1 States the following

P1 – Prescribed fire safety installations for a building are maintained by ***appropriately qualified persons*** at intervals that are adequate to ensure the building's fire safety installations perform to a standard no less than that which they were originally required to me

A1 – (a) a prescribed fire safety installation other than a passive fire safety installation, fire blanket or emergency lighting, complies with AS 1851:2012;

P2 – Building occupiers keep records of maintenance to ensure:

1. the *occupier*, and
2. any *appropriately qualified person*; and



3. local government officers; and

4. authorised officers of the Queensland Fire and Emergency Services;

A2 – (a) keep *records* of any *maintenance* that is *required* by this Part for each of the building's *prescribed fire safety installations* in accordance with –

1. the *Building Fire Safety Regulation 2008*;

The Queensland Building Fire Safety Regulation state the following;

Division 3 Obligations of occupiers

54 Maintenance of prescribed fire safety installations

1. The occupier of a building must ensure that maintenance of each prescribed fire safety installation for the building is carried out by an appropriately qualified person – Maximum penalty—30 penalty units.
2. The occupier of a building must ensure each prescribed fire safety installation for the building is inspected and tested at intervals in compliance with QDC, part MP6.1.- Maximum penalty—30 penalty units.
3. Subsection (4) applies if the record of maintenance for a prescribed fire safety installation for a building shows that repair or other corrective action is required for the installation.
4. The occupier of the building must ensure the repair is carried out or the corrective action is taken no later than 1 month after the maintenance of the installation was carried out, unless the occupier has a reasonable excuse.

The Queensland Fire & Emergency Act 1990 states the following

104D Occupier of building to maintain prescribed fire safety installations

1. The occupier of a building must maintain at all times every prescribed fire safety installation to a standard of safety and reliability in the event of fire.

Maximum penalty—



1. if the contravention causes multiple deaths—2,000 penalty units or 3 years imprisonment; or
2. if the contravention causes death or grievous bodily harm—1,000 penalty units or 2 years imprisonment; or
3. if the contravention causes bodily harm—750 penalty units or 1 year's imprisonment; or
4. if the contravention causes substantial property loss— 500 penalty units or 6 months imprisonment; or
5. otherwise—100 penalty units.

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This post appears in [the February 2021 edition of The QLD Strata Magazine](#).

Question: Do you need permission to drill into a firewall to install a TV?

Answer: fire wall is a prescribed fire safety installation and can not be changed or altered without a Building Development approval (strictly speaking)

A fire wall is a prescribed fire safety installation and can not be changed or altered without a Building Development approval (strictly speaking).

The fire wall would have been certified at the time of construction and the penetration for any services will need to be rectified.

The Building Development approval triggers the re-certification which is required to confirm that any penetration has been sealed in an approved method using approved material and ensures that the integrity of the fire wall has not been compromised.

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This post appears in [the February 2021 edition of The QLD Strata Magazine](#).

Question: A resident in our building put some artificial plants in our lobby. They have been removed and due to fire regulations. Why is that?

A resident in our building put a couple of very pretty, artificial plants in our lobby to brighten up an otherwise bland and boring entrance. They did not block anyone and were tucked in beside the doorway.

They have now been removed and the resident was told it was due to fire regulations. Are you able to clarify why that is? And are we able to get a copy of these regulations from anywhere?

We also had a doormat removed from outside our door due to the same reason. We have had a lovely bamboo floor installed and simply wanted to protect it from outside sand and dirt.

Answer: These items may have been removed in an attempt to keep evacuation routes and common areas free from obstruction as required by the Building Fire Safety Regulation 2008.

The fire safety regulations applicable in Queensland are contained within the [Building Fire Safety Regulation 2008](#) ('the Regulation').

Bodies corporate have an obligation to ensure that they comply with the Regulation, which is designed to protect those at the scheme in the case of a fire emergency.

In our opinion, it is possible that the items may have been removed in an attempt to keep evacuation routes and common areas free from obstruction, as required by the Regulation.

If you do not agree that the items constitute a possible obstruction, then we recommend raising your concerns with your Body Corporate Manager or Committee to see if an alternative doormat or plant might be permissible.

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This post appears in Strata News #353.

Question: What are the regulations regarding front doormats in the hallway / foyer outside of our door? We have been told nothing is allowed in the hallway.

What are the regulations regarding front door mats outside our unit in QLD?

We have been informed that NOTHING is allowed in hallways in our building. On visiting friends in other complexes, we note they have a small mat outside of the door to their unit.

We live near the sea, so it would be good to be able to wipe our feet and get the sand off before entering our unit.

Answer: If there is no by-law preventing a doormat, then the approval of the Body Corporate is not required under the Act.

Whether an owner or occupier can place a doormat outside the entry to their lot will largely depend on the by-laws.

If there is no by-law preventing a doormat, then the approval of the Body Corporate is not required under the Act. As the adjudicator in Ansonia [2012] QBCCMCmr 466 (17 October 2012) relevantly stated at para 9:

“there is not an express provision of the Act that requires an occupier to obtain body corporate approval before placing a personal item such as a doormat on common property...”

However, if the by-laws require committee approval for an item to be placed on common property, then the owner or occupier must obtain that approval.

Even in circumstances where approval is granted, or the owner or occupier can have a doormat because there is no by-law that prevents it, the owner or occupier will need to ensure the doormat does not:

- cause a hazard or nuisance or unreasonably interfere with the use of another lot or common property; or
- breach any other by-laws, e.g. lawful use of common property by another person.

Therefore we recommend that you review your Scheme's by-laws and depending on what they contain, seek advice from your Body Corporate Manager or legal adviser where necessary.



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This post appears in Strata News #240.

Question: With reference to QFES Compliance in QLD strata buildings, if a property isn't compliant and an assessor has stated that it's non-compliant, what impact does that have on the building's insurance?

Answer: If the non-compliance is known, it is a matter that should be disclosed to the insurer.

If the non-compliance is known, it is a matter that should be disclosed to the insurer when a policy is taken out as part of your duty of disclosure.

If the building is non-compliant, and you knew about the non-compliance, and that non-compliance causes or contributes to a claim, then that could result in the insurer denying a claim or reducing their liability.

If it's not compliant and you didn't know about the compliance issue, the insurer can decline the portion that relates to rectification of faulty workmanship.

Keep in mind that when it comes to compliance, one of the common things that must be considered is compliance at the time the property was built. For example, a property that was built in 1990 may still be compliant even if it does not comply with 2020 building codes because it was compliant at the time it was built. For this reason, it is important to consider compliance based on when the building was built.

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This post appears in [the November 2020 edition of the QLD Strata Magazine](#).



Question: Are you permitted to install a door video viewer in a fire rated apartment door?

Answer: The answer is no, you can not install anything to a fire door that has not been tested and is on the list of tested hardware that can be used.

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This post appears in Strata News #370.

Question: The exit door to the fire escape staircase can no longer be opened from the outside. Is this against the law if our body corporate won't have it repaired?

Our exit door to the fire escape staircase can no longer be opened from the outside. Is this against the law if our body corporate won't have it repaired? What if someone is stuck inside and we can't get back inside to rescue them?

Answer: Regulations require every fourth floor to have re entry if doors are locked from the stair side.

Regulations require every fourth floor to have re entry if doors are locked from the stair side.

Or a fail safe electric system hooked up to the fire panel and an intercom on each floor for re entry.

Hope this has answered your question, if not feel free to call our office on 0755 972 444

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This post appears in Strata News #350.

Question: Do I have to participate in a scheduled Body Corporate fire drill for my unit complex whilst social distancing is in place due to COVID-19?



Answer: Common sense tells me that a fire drill should not take place until the current situation changes and it is safe to do so.

Peter Pedersen, Scanline Fire Doors: Common sense tells me that a fire drill should not take place until the current situation changes and it is safe to do so.

Chris Irons, Hynes Legal: I can't comment on your obligations to participate in a fire drill as that is not body corporate legislation.

What I would say though, is that if a 'common sense' approach is good enough for the Prime Minister – and he's been very clear that's what everyone should be doing at the moment when obligations on many things are ambiguous – then it should be good enough for you in your situation. Common sense dictates that if we are meant to be avoiding situations which bring us into closer contact with others then we should probably be avoiding a fire drill.

You might like to direct a query to your body corporate in the first instance as to why they'd be wanting to hold a fire drill at the moment. Don't discount the possibility that there might actually be some very good reasons for holding it.

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This post appears in Strata News #335.

Question: Are all front doors for apartments required to be fire doors because they are the only exit? How do we know which doors need to comply with fire door regulations?

We have recently been told that the front doors to all units do not comply with the law for various reasons.

How do we know that there is a requirement for our front doors to be fire doors? It's a three story block and all front doors lead outside to the stairwell.

Are all front doors for apartments required to be fire doors because they are the only exit?



How do we know if they need to comply with fire door regs? We do not have the original plans for the property. We are located in QLD.

Answer: The owner should be given the opportunity to correct the issue first.

Generally, a 3 story walk-up consists of 6 units per stairwell.

Each of these units are built as a fire compartment in order to stop the spread of fire.

The self-closing fire rated door is fitted to gain access to each unit, and also to contain a fire from spreading.

All fire safety installations are required to be inspected and maintained as per MP6 and AS 1851.

If this building is in Brisbane or the Gold Coast we would be happy to inspect and advise.

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This post appears in Strata News #322.

Question: A lot owner has installed a digital lock on their fire door. They are away and an audit has deemed the fire door non compliant. What should the Body Corporate do?

An owner in our building has installed a digital style access lock on their front door. It is for security not to use the unit for short term rental. He did not seek Body Corporate approval. This is a fire door.

The building manager asked him to remove the lock indicating that in an emergency they can't get access as master keys won't unlock the door.

The owner is regularly away overseas on short visits and has indicated that he wants to secure his apartment. He is always available by email or mobile.

Recently the entry fire doors were inspected by the fire engineer. The doors were deemed not to be fire safe and therefore not compliant. The Secretary of the body corporate has been asked to inform the owner that the doors are not compliant and the access locks would be removed.

If the locks are not compliant then this could impact on the owners insurance?



What should the secretary do? The request for action has come from the building manager.

Answer: The owner should be given the opportunity to correct the issue first.

The body corporate should write to the owner setting out:

1. that the outside of the door is common property (assuming it is) and that approval is required for any improvements – which cannot be provided for fire safety reasons; and
2. the fire safety issues; and
3. requiring the owner to correct the lock.

The body corporate would then more than likely have rights to correct the lock and recover those costs but it should give the owner the opportunity to fix it first.

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This post appears in Strata News #279.

Question: I'm concerned about fire door compliance and keeping fire doors kept open within our building. I raised my concerns in writing with the committee but nothing has changed. Is the committee neglecting their fire safety responsibilities?

I own a lot in a QLD apartment building and am concerned about fire door compliance and that my committee is neglecting their responsibilities about fire safety. Apartments are accessed from an open lobby/atrium area and some occupants regularly have their front fire doors kept open with just their screen door locked, presumably to promote cross-breezes.

Upper-level apartments only have a single egress stair and these occupants need to pass by the open door to safely exit the building. In the case of a fire in this lot, upper-level occupants would have no means of safe egress. It also places the broader building at risk as the concept of a fire door is to slow/contain fire spread and this doesn't work with the



fire doors kept open. I expect there is legislation/standards about properly maintaining/operating fire doors, but I am unaware of exactly what they are.

I raised my concerns in writing with the committee and they instructed the resident manager to raise this with the occupants, but the issue continues to occur. In the meantime, the committee has sent out other correspondence (e.g. wishing all a Merry Christmas, reminding them to obey the pet by-laws) but no correspondence about the fire door issue.

What responsibility does the committee have to fire door compliance and to ensure the building remains safe? What steps should they be taking to ensure this happens? And what further steps could I be taking to encourage the committee to observe their responsibilities?

Answer: The first thing is to lay out very clearly for the committee what they think the body corporate needs to do and why.

The committee has ultimate responsibility here.

What should the owner do?

The first thing is to lay out very clearly for the committee what they think the body corporate needs to do and why. That should set out very clearly the statutory basis for those suggestions. If needs be, the owner could lawyer up – as that usually gets more attention.

If the committee fails to do something about it, the owner has quite a few options (in no particular order):-

- Stand for committee and take control of it from the inside;
- Write to all owners setting out their concerns;
- File an application for adjudication seeking that the body corporate comply with its statutory responsibilities;
- Sell their lot;
- Do nothing.

The armageddon options (which do depend on how strongly the owners feels about the



issue) include:-

- Write to the body corporate's insurer setting out their concerns (an issue is the insurer then disclaims the insurance);
- Ring QFES and file a complaint which leads to an investigation by them (and a fine or other order for works to be completed);

It is not that often there are that many choices!

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This post appears in Strata News #183.

Question: In our building, five fire doors in apartments failed due to unauthorised screen doors fitted to apartments. QFES has verbally advised us not to remove existing doors, but discourage others from being fitted. Where do we stand on fire door compliance and from an insurance point of view?

Our unit complex comprises 2 buildings with 25 units in each building. We recently had an inspection of our fire equipment and 5 fire doors in apartments failed because they had security screen doors fitted (without body corporate approval).

A QFES officer verbally advised our body corporate manager that the QFES would not require the security doors to be removed but that we, the body corporate committee, should encourage other owners not to install security doors over the fire doors.

The QFES officer declined to put his advice in writing and my concern as body corporate chairman is that, in the event of a fire, our building insurance cover may be voided.

Where do we stand on fire door compliance and from an insurance point of view? I would appreciate an opinion on my concern and also whether, if the insurance cover were voided, the committee could be held liable for failing to have the fire doors meet safety standards.

Answer: I am not sure of the legal position, but what it sounds like to me is that QFES knows this practice goes on and is in breach of the legislation, but doesn't want to poke the bear of every body corporate in Queensland that has it as an issue.



To be honest, I am not sure of the legal position, but what it sounds like to me is that QFES knows this practice goes on and is in breach of the legislation, but doesn't want to poke the bear of every body corporate in Queensland that has it as an issue.

To me, the answer is this:-

1. It is a legal requirement or it is not. It is one or the other.
2. The body corporate should get legal advice on that (sorry, yes that's subjective, but it doesn't necessarily need to be us as much as we are best placed to do it etc)
3. When that legal advice is to hand the body corporate should act on its recommendations.
4. If that means screens have to be removed, so be it. If not, then it doesn't matter.

What I can assure you is that if there ever was a fire, and the body corporate was on notice of the alleged issue (which it is), the fingers may very well be pointed at the committee members for the failure to do something about it.

Another factor is the duty of utmost good faith when it comes to insurance and the statutory requirement to disclose known issues to the insurer. The next time the building's insurance policy comes up for renewal, whoever is filling it out would have to be very careful about what boxes get ticked in response to questions about fire safety. And you can be certain in the post [Lacrosse \(in Melbourne\)](#) and [Grenfell \(in London\)](#) environment, fire safety in high rise buildings is a very sensitive issue.

If I was in the chairperson's shoes I would do something about it or resign from the committee. There isn't really much middle ground, as much as many would take the ostrich approach and keep their head in the sand.

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This post appears in Strata News #183.

Question: Who should pay for a replacement fire door for our apartment in Queensland? Is the lot owner responsible for fire door compliance?



I need to find out who is responsible for the replacement fire door at our apartment.

The door is:

- The main door to the tenants apartment.
- Is situated in a hallway that does not have security entrance.
- Was cracked from General Wear and Tear and was required to be replaced.

The body corporate is wanting us to pay for the replacement of the fire door. It took over 3 months for the door to be replaced. They have painted the door twice very poorly, and it still does not meet general cosmetic standards.

Should we really be footing the bill? Are we responsible for fire door compliance?

Answer: It comes down to whether the scheme is a building format plan (BFP) or standard format plan (SFP).

It comes down to whether the scheme is a [building format plan \(BFP\)](#) or [standard format plan \(SFP\)](#).

If it's a building format plan (which it sounds like it might be) the body corporate must maintain in good condition 'doors, windows and associated fittings situated in a boundary wall separating a lot from common property.'

Accordingly, if the door is situated in a boundary wall with common property on one side and the lot in the other, the body corporate will be responsible for its maintenance.

If the owner or occupier causes damage to the door, the body corporate will still need to carry out the necessary repair work but can then recover the costs of that work from the person who caused the damage.

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This post appears in Strata News #170.

Have a question about fire compliance or something to add to the article? Leave a comment below.

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