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**FIRE SAFETY ACT
(CHAPTER 109A)**

**FIRE SAFETY (FIRE CERTIFICATE)
(DESIGNATED BUILDINGS) ORDER 2016**

ARRANGEMENT OF PARAGRAPHS

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In exercise of the powers conferred by section 20(1B) of the Fire Safety Act, the Minister for Home Affairs makes the following Order:

Citation and commencement

1. This Order is the Fire Safety (Fire Certificate) (Designated Buildings) Order 2016 and comes into operation on 1 March 2016.

Definitions

2. In this Order, unless the context otherwise requires —

“element of structure” means —

- (a) a member forming part of the structural frame of a building or any other beam or column but not a member forming part of a roof structure only;
- (b) a load-bearing wall or load-bearing part of a wall;
- (c) a floor, including a compartment floor, other than the lowest floor (in contact with the ground) of a building;

(d) a separating wall; or

(e) a structure enclosing a protected shaft;

“engineered timber building” means a building that is constructed using any permitted timber material, or a combination of any permitted timber material and other materials, as an element of structure, an external wall or a compartment wall of the building;

“habitable height”, in relation to a building, means the height measured from the lowest level of a fire engine accessway or fire engine access road to the finished floor level of the highest habitable floor in that building;

“permitted timber material” means any timber material described in the Fire Code as being permissible for use as an element of structure, an external wall or a compartment wall of a building;

“residential building” means a building or part of a building that is lawfully used or intended to be used for residential purposes.

Designated industrial buildings

3.—(1) The following industrial buildings are designated to be subject to section 20 of the Act:

- (a) an industrial building with an occupant load of at least 1,000 persons;
- (b) an industrial building with a floor area or site area of at least 5,000 square metres;
- (c) an industrial building with a habitable height of more than 24 metres;
- (d) an industrial building with an address specified in the Schedule.

(2) In this paragraph, a reference to an industrial building includes an industrial building that is an engineered timber building.