

# HOTHAM

Mount Hotham Resort Management Board

## Building Standards of Occupancy Guidelines

### 1. Purpose

The purpose of this policy is to ensure that the Board meets its obligations to consistently apply current leasing provisions requiring lessees to maintain their premises to a level that meets contemporary standards.

### 2. Background

All new leases at Mt Hotham are required to follow a standard form acceptable to the Minister. The current alpine standard lease requires the Board as the Landlord to prepare a Building Standards Report for the purpose of providing a record of the Tenant's response to the matters relating to the Standards of Occupancy and for reference during negotiations for a new lease.

The Mount Hotham Alpine Resort Management Board (MHARMB) has developed and formally adopted this policy that will be used as a basis for the Building Standards Inspection and Report program required for all new lease renewals and every three (3) years under current alpine standard lease.

### 3. Definitions

**Board** means the Mount Hotham Alpine Resort Management Board.

**Building Standards Report** means the report to be prepared by the Board under the alpine standard lease specifying whether the premises meet the Standards of Occupancy.

**Municipal Building Surveyor** means the Consultant appointed by the Board to provide services for the performance of all functions and duties and the exercise of all powers imposed or conferred on a Municipal Building Surveyor under the Building Act 1993 and the Regulations thereto in relation to the issuing of permits, the certifying of plans, drawings and specifications and the conducting of inspections of land, buildings or building works with the Resort.

**Standards of Occupancy** means a standard determined by the Board, acting reasonably, for the Tenant's improvements taking into account, without limitation:

- (a) Contemporary standards; and
- (b) The need for regular maintenance and upgrading of the exterior and interior of the Tenant's Improvements to meet visitor expectations.

### 4. Scope

This policy applies to all new lease applications, lease renewals and existing alpine standard leases.

## **5. Policy**

The minimum standard of occupancy is compliance with all legislative and regulatory requirements applicable to the particular class of building and date of construction. Additional matters will be assessed against contemporary standards as detailed in the Standards Guidelines below.

All premises must be kept in good repair and condition and clean and tidy in accordance with the obligations of their lease.

## **6. Implementation**

An inspection will be undertaken by the Municipal Building Surveyor and a Report provided to Lessees for the further consideration and/or subsequent action. The inspection and report will be at the Board's cost.

## **7. Standards Guidelines**

In formulating these Guidelines, the Board has been mindful of the need to balance objectives relating to achieving compliance with current building legislation in particular, the Building Code of Australia (BCA). And, the inherent difficulties (and costs) associated with the upgrading/rectification of existing buildings.

It is the Board's view that it has achieved that balance and satisfied its statutory obligation to act reasonably in determining appropriate standards of occupancy across all buildings in the Mount Hotham alpine precinct.

The following is a list of additional matters that will be addressed in the Building Standards Inspection and a brief description of the compliance level expected to be attained within the timeframes outlined in the Building Standards Report.

**It is noted that those matters that have a legislative basis or are enforceable under the general provisions of the Building Act 1993 and Building Regulations 2006, have not been listed here.**

### **FIRE/LIFE SAFETY**

#### **1. Open Fire Places**

An open fireplace or solid fuel burning appliance in which the fuel burning compartment is not enclosed must have a metal mesh screen installed to prevent hot material and sparks releasing into the building.

Free standing solid fuel burning appliances must have a hearth installed in accordance with the manufacturer's instructions.

Chimneys and flues must be provided with a damper or flap.

## **2. Bushfire Protection**

Generally, existing buildings are required to comply with the construction requirements relative to a bushfire attack level (BAL) of 12.5. Refer to the MHARMB “Bushfire Protection Compliance Policy” for specific details.

### **SAFE MOVEMENT AND EGRESS**

#### **3. Trafficable Surfaces**

An external “Trafficable Surface” includes balconies, decks, landings, stairs and ramps which are utilized as a **required** means of egress (escape) from the building.

Where an existing trafficable surface is required to be replaced due to excessive deterioration or failure of the supporting structure, such works are to be constructed using galvanized steel structural members and a galvanized steel mesh or similar floor.

### **GENERAL**

#### **4. Drying Room**

Suitable covers are required to be placed over (and sufficiently clear of) the heating appliance in the drying room.

#### **5. Retaining Structures**

Retaining walls and similar structures (and associated drainage) are required to be installed and maintained where soil cannot be adequately stabilized by natural means such as battering and planting.

#### **6. Weatherboards**

Weatherboards, windows and other external cladding materials, where split, holed or decayed, are to be repaired or replaced in a proper and workmanlike manner.

#### **7. Redundant Roof Penetrations**

Any roof penetration that is redundant is to be removed and the roof cladding replaced by licensed contractors in a proper and workmanlike manner.

### **COMMENTS**

Compliance with the above noted matters and relevant legislative requirements must be verified via a Building Standards Inspection and Report process undertaken by the Board’s Municipal Building Surveyor.

Any formal request to vary or delete these requirements will be considered in accordance with the Alpine Resorts Leasing Policy and/or, current standard lease provisions.

The timeframe for the completion of any item nominated in the Report will generally be commensurate with its relative impact on occupant life safety and amenity. In this regard, the majority of matters would be completed prior to the commencement of the next ski season. It is expected other items would progressively be undertaken over a one (1) to three (3) year period.