



City of  
Mount Gambier

# **Building Fire Safety Committee**

## **Terms of Reference**

*Adopted by the Building Fire Safety Committee on 1 July 2021*

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## **1. Establishment & Status of the Building Fire Safety Committee**

- 1.1 Pursuant to Section 157(17) of the *Planning, Development and Infrastructure Act 2016* (PDI Act), the Council establishes a body to be known as the City of Mount Gambier Building Fire Safety Committee (BFSC).
- 1.2 The Building Fire Safety Committee is established for the purpose of acting as the “appropriate authority” (as that term is defined in the PDI Act) in respect of fire safety matters arising under the PDI Act.

## **2. Membership**

2.1 Membership of the Building Fire Safety Committee (BFSC) shall consist of:

- Grant Riches appointed by the Council and who holds prescribed qualifications in building surveying; and
- An authorised officer under Part 3 Division 5 of section 86 of the *Fire and Emergency Services Act 2005*, and has been approved by the Chief Officer of the relevant fire authority; and
- Dave Vandborg being a person with expertise in the area of fire safety appointed by the Council and appointed as an authorised officer
- Paul Gibbs as Councils Senior Building Officer, Accredited Level 2 Building Surveyor and appointed as an authorised officer
- Paul Jenner, City of Mount Gambier Elected Member

2.2 The office of a member of the BFSC will become vacant if the member:

- 2.2.1 dies; or
- 2.2.2 completes a term of office and is not reappointed; or
- 2.2.3 resigns by written notice addressed to the Council; or
- 2.2.4 removed from office by the Council for any reasonable cause.

## **3. Terms of Reference**

The terms of reference for the BFSC are as follows:

- 3.1 The BFSC is charged with undertaking statutory obligations as prescribed in Division 6, Section 157 of the *Planning, Development and Infrastructure Act 2016*, which are of a building fire safety nature.
- 3.2 A quorum for a meeting of the BFSC shall be three (3) persons, one of whom should be the person nominated by the Chief Officer of the relevant fire authority
- 3.3 All decisions of the BFSC shall be made on the basis of a majority decision of the members present.

- 3.4 The BFSC shall meet at the Council office or at such other places as the BFSC may, from time to time, determine.
- 3.4.1 Building Fire Safety Committee be able to hold meetings via electronic means such as video conferencing using software such as Zoom, Teams or the like when required
- 3.5 The BFSC should meet on at least 1 occasion in each calendar year.
- 3.6 A member of the BFSC who has a personal interest or a direct or indirect pecuniary interest in any matter before the BFSC (other than an indirect interest which exists in common with a substantial class of persons) must not take part in any deliberations or decisions of the BFSC in relation to that matter;
- 3.7 The following provisions apply to the calling of meetings:
- 3.7.1 Council must give each member of the BFSC notice of a meeting at least three (3) clear business days before the date of the meeting.
- 3.7.2 Notice may be given to a member of the BFSC:
- 3.7.2.1 personally.
- 3.7.2.2 by posting to the person at their usual or last known place of business; or
- 3.7.2.3 by an email known to be used by the person.
- 3.8 Each member of the BFSC present at a meeting must, subject to that person having an interest in the matter, vote on a question arising for decision at that meeting.
- 3.9 The City of Mount Gambier Elected Member shall be the Presiding Member of the BFSC when available, with Council providing support for minute taking and record keeping.
- 3.10 In the event that the Presiding Member is not present at a meeting ( or part thereof) an acting Presiding Member will be appointed by those BFSC Members who are present at the meeting
- 3.11 The minutes of the proceedings and meetings must include:
- the names of the members present.
  - in relation to each member present, the time at which the person entered or left the meeting.
  - all motions and amendments, and the names of the mover and seconder.
  - whether a motion or amendment is carried or lost.
  - any disclosure of interest made by a member; and
  - any other matter required to be included in the minutes by direction of the Council.

3.12 The procedure to be observed at a meeting of the BFSC insofar as the procedure is not prescribed by these terms of reference, may be determined by the Committee.

3.13 Notices will be issued by the BFSC as the appropriate authority pursuant to Section 157(3) and 157(4) of the Act

#### **4. Council BFSC should seek to achieve the following objectives**

4.1 Any action taken under this section should seek to achieve (in the following order of priority)

4.1.1 Firstly, a reasonable standard of fire safety for the occupiers of the relevant building

4.1.2 Secondly, the minimal spread of fire and smoke

4.1.3 Thirdly, an acceptable firefighting environment

#### **5. BFSC Investigation and Inspection Priority policy**

5.1 The following sets out what may trigger an inspection by an authorised officer

5.1.1 Direction by a relevant fire authority

5.1.2 Complaint from the public

5.1.3 Audit and/or targeted buildings and businesses

5.2 The following sets out the Building Fire Safety Committee inspection priority noting the intent is not to carry out annual inspections, but to address or rectify buildings as identified under 5.1, to the extent that would provide an adequate level of safety for the building occupants

Accommodation for vulnerable patrons including, but not limited to the following:

5.2.1 Aged care

5.2.2 Nursing homes

5.2.3 Health care providers

5.2.4 Private hospitals, day surgery

5.2.5 Supported residential facilities

5.2.6 Accommodation for the aged

Accommodation for the public including, but not limited to the following:

5.2.7 Hotels and Motels

5.2.8 Night clubs

5.2.9 Short term holiday accommodation

5.2.10 Workplace accommodation

5.2.11 Caravan parks

Public Assembly Buildings including but not limited to the following:

5.2.12 Sporting clubrooms

5.2.13 Public halls

5.2.14 Cinema

- 5.3 Audits should be performed on a 10 yearly basis and monitored through Council's record keeping systems with updates of inspection to BFSC