

CITY OF MOUNT GAMBIER
BUILDING FIRE SAFETY COMMITTEE
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City of Mount Gambier

Terms of Reference for Building Fire Safety Committee

1. APPLICATION

- (i) The Building Fire Safety Committee is formed pursuant to Section 71 of the Development Act 1993;
- (ii) The required Section 71 “appropriate authority” is the Building Fire Safety Committee (herein after referred to as “the Committee”);
- (iii) Objectives of the Committee are to seek to achieve in the following order of priority: (as set out in S71 (16) of the Development Act 1993)
 - (a) firstly, a reasonable standard of fire safety for the occupiers of the relevant building;
 - (b) secondly, the minimal spread of fire and smoke;
 - (c) thirdly, an acceptable fire fighting environment.
- (iv) To have due regard to the provisions of Section 71 of the Development Act 1993.

2. MEMBERSHIP

- (i)
 - (a) A person who holds prescribed qualifications in building surveying appointed by the City of Mount Gambier;
 - (b) A person nominated by the Chief Officer of the South Australian Metropolitan Fire Service;
 - (c) A person/s with expertise in the area of fire safety appointed by the City of Mount Gambier;
 - (d) “If so determined by the City of Mount Gambier” a person/s selected by the City of Mount Gambier.
- (ii) A term of office for a member of this Committee will be a period not exceeding three years;
- (iii) Any member of the Committee shall not be prevented from being appointed as a member of the Committee for future terms of office.

3. ADMINISTRATION

- (i) The City of Mount Gambier shall provide the following services:
 - (a) Administrative support at general meetings of the Committee;
 - (b) Administrative support and record storage;



- (c) Distribute copies of agendas, reports, notices and all other relevant documents to member of the Committee as may be required from time to time;
- (d) Report to Council through the Operational Services Committee of Council.

4. MEETINGS

- (i) General meetings of the Committee shall be held at such time and place as necessary to ensure the provisions of Section 71 of the Development Act are met;
- (ii) Discuss and review reports, inspections and document minutes of such reviews and discussions.

5. CHAIRPERSON

- (i) The chairperson shall be the elected member appointed by Council to the Committee.

6. VOTING

- (i) Questions arising for decision at all meetings of the Committee will be decided by a vote of the majority of committee members present on the basis of one vote per member whereby the Chairperson shall be entitled to a deliberative vote but not entitled to a casting vote;
- (ii) Each member present at a meeting of the Committee must vote on a question arising for decision at that meeting. The failure by any committee member to vote on any question arising for decision will deem that member to have voted in the negative.

7. QUORUMS

- (i) A quorum to be present at each meeting of the Committee;
- (ii) The minimum number of members of the Committee present at a meeting of the Committee shall be the number of committee members divided by two (2) ignoring any fraction resulting from the division and adding one.

8. ADJOURNMENTS

- (i) The members present at any meeting of the Committee may adjourn any such meeting from time to time and from place to place.



9. CONDUCT AT COMMITTEE MEETINGS

- (i) Minutes – the Committee shall cause proper minutes to be kept of its proceedings at meetings.
- (ii) Issuing of Notices – any notices issued under Section 71 of the Development Act 1993 shall be signed by not less than one member of the Committee, with such notice to be in accordance with the resolution of the Committee.
- (iii) Disclosure of Interest – a member of the Committee who is in any way directly or indirectly financially interested in any matter arising for decision of the Committee must disclose the nature of the interest at a meeting of the Committee and must not take part in any decision of the Committee with respect to the matter.
- (iv) Powers of the Committee – the powers of the Committee shall not extend beyond those delegated to it by Council pursuant to Section 71 of the development Act 1993.

10. INSPECTIONS

- (i) Inspections may be carried out by an Authorised Officer on any building within the Council Area;
- (ii) Any costs associated with general meetings of the Committee shall be the responsibility of the City of Mount Gambier;
- (iii) The Authorised Officer/s of the City of Mount Gambier shall undertake inspections of buildings deemed as a high to low risk to life, such as
 - accommodation parts of hotels, health care building and the like;
 - accommodation parts of motels;
 - backpacker, guest houses, boarding houses and the like;
 - hotels, night clubs and the like where high number of patrons are frequent;
 - businesses within the Council area which may have a significant financial and community impact as a result of fire;
 - others as necessary.

11. NOTICES

- (i) The Committee shall be responsible for the preparation of all reports, notices and other documents relating to such notices.



12. COST RECOVERY

- (i) All costs and expenses in relation to actions under S84(7) - Enforcement notices or S71 - Fire Safety of the Development Act 1993 shall be borne by the City of Mount Gambier. Such action shall be approved by the City of Mount Gambier Chief Executive Officer.
- (ii) The City of Mount Gambier shall be responsible for the engagement of and any payment to consultants and the like who may be required to provide professional advice, or appear on behalf of the Committee in any Court action in relation to any building fire safety matter within its Area. Such action shall be approved by the City of Mount Gambier Chief Executive Officer.

Adopted by the City of Mount Gambier Building Fire Safety Committee on 3rd August 2015

