

Policy Name:	Building Fire Safety
Classification:	Legislated
Adopted:	30 July 2024
Frequency of Review:	Every four years
Last Review:	July 2024
Next Review Due:	July 2028
Responsible Officer(s):	Executive Manager Development Environment & Regulatory Services
Policy and Code of Practice Manual File Ref:	CC10/2601
Council File Reference:	CR24/58101
Legislation Authority:	Planning, Development and Infrastructure Act 2016 (PDI Act 2016)
Related Policies and Codes:	Building Fire Safety Committee Terms of Reference
Related Procedures:	N/A

1. BACKGROUND / INTRODUCTION

- 1.1 Councils play an important role in protecting the safety of building occupiers and users, whether they are residents or workers who use the buildings regularly, or clients and visitors who use them occasionally.
- 1.2 Pursuant to Section 157 of the Planning Development and Infrastructure Act 2016 (the PDI Act), Council has established a Building Fire Safety Committee (the Committee) for the purposes of acting as the appropriate authority in respect of all building fire safety matters.
- 1.3 The Committee, comprises of staff and independent members, with appropriate qualification/s.
- 1.4 This Policy seeks to ensure that Council meets its obligations under the Act to investigate whether building owners are maintaining the proper levels of building fire safety for the protection of all occupants of that building, in accordance with the inspection and enforcement criteria established by the Building Fire Safety Committee.
- 1.5 The Policy details the basis for undertaking inspection and lists the types of buildings and occupancies that may pose high fire risks. These identified premises to be systematically inspected.

2. INSPECTION POLICY

2.1 Inspections shall be carried out when:

- Council requests a Fire Safety report on a particular building;
- At the request of the fire authority;
- Following receipt of a complaint;
- An audit based inspection is required; or
- Determining the action to be taken when building fire safety is identified and deemed to be inappropriate in high risk areas including, but not limited to:
 - Public buildings;
 - Accommodation buildings;
 - Work places such as factories, warehouses with storage of flammable and dangerous goods;
 - Bed & Breakfast establishments; or
 - Hotels, restaurants, café or similar.

2.2 Fire safety deficiencies of a minor nature will be dealt with by Council's Building Officer who holds prescribed qualifications and is directed to undertake inspections of buildings under section 157(2) of the PDI Act by the Building Fire Safety Committee.

3. FIRE SAFETY NOTICES

3.1 The Building Fire Safety Committee is authorised to serve, vary or revoke fire safety notices, where fire safety issues and public safety are deemed to be inadequate, pursuant to section 157 PDI Act.

3.2 The Committee is authorised to serve, vary or revoke two fire safety notices:

- Notice of Fire Safety Defect; and
- Notice of Building Work Required.

3.3 Notices served by the Committee must be signed by at least two (2) members of the Committee.

3.4 When Notices are served, varied, revoked or complied with to the satisfaction of the Committee, the building owner must be notified as soon as possible.

3.5 Fire Safety Notices must be detailed and issued in accordance with the PDI Act 2016 and rights of appeal must be notified to the building owner.

3.6 The Building Fire Safety Committee is authorised to apply to the ERD Court for an enforcement order where owners fail to comply with a Fire Safety Notice.

4. SYSTEM IMPROVEMENT PROGRAM

The Committee functions and enforcement procedures outlined in the PlanSA Council Building Fire Safety Committees Guide and PDI Act shall be followed where appropriate.

5. REVIEW AND EVALUATION

The effectiveness of this Policy will be reviewed every four years.

The Chief Executive Officer will report to Council on the outcome of the evaluation and if relevant make recommendations for amendments, alteration or substitution of a new Policy.

The Policy will not be altered or substituted so as to affect a process already commenced.

6. FURTHER INFORMATION

Further information about this Policy can be obtained by:

Telephone: 8522 9211

Email: council@gawler.sa.gov.au

Appointment: Town of Gawler Administration Centre, 43 High Street, Gawler East.

Letter: PO Box 130, Gawler SA 5118

7. AVAILABILITY OF POLICY

The Policy is available to be downloaded, free of charge, from Council's website at www.gawler.sa.gov.au.

A printed copy may be purchased on request from the Council's Administration Centre.