



Reference: AF14/336 KMA

29 July 2015

MEMBERS

NOTICE is hereby given that the City of Mount Gambier Building Fire Safety Committee will meet in the following Meeting Room on the day, date and time as follows:

Building Fire Safety Committee
(Conference Room - Level 1):
Phone Link up with Andy Sharrad (MFS)

Monday, 3rd August at 10.00 a.m.

An agenda for the meeting is enclosed herewith.

Mark McSHANE
CHIEF EXECUTIVE OFFICER

CITY OF MOUNT GAMBIER BUILDING FIRE SAFETY COMMITTEE

Meeting to be held on Monday 3rd August 2015 at 10.00 a.m. in the
Conference Room, Level One - Operational Services, Civic Centre

AGENDA

1. BUILDING FIRE SAFETY COMMITTEE - ACTIVE8 COMPLEX - 99 PENOLA ROAD - Ref: AF14/10
2. BUILDING FIRE SAFETY COMMITTEE - VACANT BUILDING (FORMERLY KNOWN AS TONIC) - 29 PERCY STREET - Ref: AF12/397
3. GOVERNANCE - COMMITTEES - BUILDING FIRE SAFETY COMMITTEE - TERMS OF REFERENCE - REF. AF14/283, AF14/336

CITY OF MOUNT GAMBIER BUILDING FIRE SAFETY COMMITTEE

Meeting to be held on Monday 3rd August 2015 at 10.00 a.m. in the Conference Room, Level One - Operational Services, Civic Centre

AGENDA

PRESENT: Cr Mr Ian Vonstanke (Presiding Member)
Mr Daryl Sexton
Mr Andy Sharrad (MFS) – by telephone,

APOLOGY: Mr Grant Riches

COUNCIL OFFICERS: Hayden Cassar - Building Officer
Chris Tully - Building Officer
Kathy Allen - Administration Officer

OTHER ATTENDANCES: Mr Dave Colliar – SA Regional Metropolitan Fire Service Manager

APOLOGY/IES: moved the apology received from be received.
seconded

MINUTES: moved that the Minutes of the Meeting held on Wednesday, 27th August 2014 be taken as read and confirmed.
seconded

QUESTIONS: (a) With Notice - nil submitted.
(b) Without Notice –

1. **BUILDING FIRE SAFETY COMMITTEE - ACTIVE8 COMPLEX - 99 PENOLA ROAD** - Ref: AF14/10

The Building Officer (Hayden Cassar) reported:

(a) The Building Fire Safety Committee at its meeting held on Wednesday, 27th August 2014 resolved:

“(a) The report be received;

(b) The design report prepared by Chapman Herbert Architects be received.

(c) The Building Fire Safety Committee accept the report prepared by Chapman Herbert Architects (including Meinhardt report dated 23rd July 2014) noting that the report does lack detail in some areas but provided the ‘deemed to satisfy’ provision of the Building Code Australia Volume 1 are met then the Committee is satisfied that its requirements will be met.

(d) The Building Fire Safety Committee indicate that all works are to be completed within 12 months with immediate works being lighting and egress issues followed by hydrants as detailed in the submitted report.”;

(b) Council has undertaken inspections of the Active8 building and confirmed the accuracy of the progress report provided by Ms Tara Mullen on the 1st February 2015 (see attached);

(c) In addition to the contents of the letter, when attending the site Ms Mullen noted that she has tentatively booked in South East Fire for the beginning of April (which is the

first opportunity they are available) to remediate the fire hydrant risers as per the report provided by Chapman Herbert;

- (d) Ms Mullen also further explained the delays which are occurring with the installation of emergency lighting in the building. She noted that the designs prepared by Chapman Herbert are not readily available and as such prohibitively expensive. This, in addition to the fact that the lighting placement proposed by Chapman Herbert is not conducive to the required regular maintenance required under forthcoming ESP forms has required that Ms Mullen seek further advice on alternative systems. Given this advice is coming from lighting specialists who only attend the region periodically some delays were expected.

moved it be recommended:

- (a) The report be received;
- (b) The Building Fire Safety Committee endorse the progress report and monitor the proposed timeframes for implementation of outstanding items.

Seconded

2. **BUILDING FIRE SAFETY COMMITTEE - VACANT BUILDING (FORMERLY KNOWN AS TONIC) - 29 PERCY STREET** - Ref: AF12/397

The Building Officer (Chris Tully) reported:

- (a) The Building Fire Safety Committee at its meeting held on Wednesday, 27th August 2014 resolved:
- “(a) The report be received;*
- (b) Mr Chris Tully gave a verbal update on this matter. An inspection was carried out on Wednesday 27th August 2014, no works to the lower storey have been commenced at this time.*
- (c) The Building Fire Safety Committee, pursuant to Section 71(6) of the Development Act 1993 advise the property owner that:*
- (i) there is to be no additional occupancy of the building at 29 Percy Street until such time as all works required by the Building Fire Safety Committee (as previously advised) are completed to the satisfaction of the Committee.*
- (ii) with respect to occupancy of the Indoor Heated Pool (ground level) the Building Fire Safety Committee requires the emergency lighting to the pool area and the exits (including illuminated directional signage) be installed and door hardware be modified to comply with the requirements of the Building Fire Safety Committee as stated on 24th April 2013, with such works to be completed within 30 days of this notice OR the building be entirely vacated within 30 days of this notice and the building to remain vacant until all works are completed.*
- (iii) All travel paths and exists to be clear and unobstructed at all times.”;*
- (b) Council has been advised by the owner of 29 Percy Street (building formerly known as Tonic) that all outstanding fire safety issues have now been addressed;
- (c) a plan was also submitted to Council showing the location of the fire safety services and equipment located through out the building.
- (d) An inspection was carried out on the 24th July 2015 to confirm that all building fire safety services are now in place as per the Building Fire Safety Committee's previous direction.

The owner of the property in question (David Hill) was present during the inspection carried out by Council.

It was noted during the inspection that additional emergency lighting is required to the male/female change rooms on the first floor and in the passage way linking offices 2, 3, 4 and 5, also located on the first floor.

An inspection of the pool area located on the ground floor found that the emergency twin spot lights, previously located central to the pool area on the northern side wall, has been replaced with a single ceiling type emergency light fitting (mounted on the wall) and as a consequence emergency light coverage is now deficient in this area.

The other areas of the building were found to be compliant with fire safety services.

From the inspection carried out by Council, the owner was directed to install additional emergency lighting (as noted) and to reinstate emergency twin spot lights in the pool area.

As detailed in a previous report to the Building Fire Safety Committee (18th June 2014), there are two (2) street fire plugs located in the vicinity of the property in question:

- Plug one (1) is located on Percy Street and is 33 metres from the main entrance
- Plug two (2) is located on Alexander Street and is 56 metres from the main entrance and 35 metres from the side doors on the north/east side of the building.

moved it be recommended:

- (a) The report be received;
- (b) Upon completion of additional emergency lighting and replacement of emergency lighting in the pool area (work to commence on the 29th July 2015), that the owner of 29 Percy Street be advised he, has now satisfied the requirements of the Building Fire Safety Committee's for building fire safety services.

seconded

3. GOVERNANCE - COMMITTEES - BUILDING FIRE SAFETY COMMITTEE - TERMS OF REFERENCE - REF. AF14/283, AF14/336

- (a) Council at its meeting held on Tuesday, 27th January 2015 resolved:

“Council or the relevant standing committee will review the Terms of Reference of all Committees and Sub-Committees by 31st August, 2015 to provide for the opportunity to alter or amend Terms of Reference to reflect Council’s aims and objectives. This review does not preclude the winding up of any Committee or Sub-Committee.”;

- (b) a copy of the current Terms of Reference for the Building Fire Safety Committee (adopted by Council on 15th April 2008) is attached to the agenda for Members perusal and review.

moved it be recommended:

- (a) The report be received;
- (b) the Terms of Reference (as attached the agenda) be endorsed and adopted by the Building Fire Safety Committee;
- (c) the adopted Terms of Reference be referred to Council for information.

seconded

MOTIONS WITHOUT NOTICE

GENERAL BUSINESS

- (a) Date of next Building Fire Safety meeting.

The meeting closed at pm.

Ref: AF14/336
29 July 2015
KMA



City of Mount Gambier

CITY OF MOUNT GAMBIER

BUILDING FIRE SAFETY COMMITTEE

TERMS OF REFERENCE

1. Application
2. Membership
3. Administration
4. Meetings
5. Chairperson
6. Voting
7. Quorums
8. Adjournments
9. Conduct at Committee Meetings
10. Inspections
11. Notices
12. Cost Recovery



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;



City of Mount Gambier

- 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.