

Comment on

Proposed Fire Safety changes to Environmental Planning & Assessment Act

Dated 6/1/16 by Barry Stegeman for Tweed Shire Council

The proposed changes are a welcome start to past concerns about fire safety provisions in building certification.

Particularly encouraging is the mandating of critical inspections for the passive fire protection elements of a building.

Some suggestions around the amendments are as follows:

1. Suggest all fire schedules should be required to include a one page summary of the alternative solutions pertaining to the building for quick reference by interested parties. This would then be required to be displayed with fire schedule in the building. It should be prepared by the certifying authority or author of the alternative solution report in consultation with each other.
2. Suggest Fire Schedule should also be in a form approved by the Secretary of the Department of Planning and Environment.
3. Suggest regulation amendment include meaning of "fire safety requirement" referred to in clause 130 and 144A because "fire safety system" is given a meaning and therefore some uncertainty will be likely without it.
4. Legislation should be included to require installers of fire protection at service penetrations to be accredited. They should also be required to certify their work in a similar manner to that required in Queensland.
5. **Clause 136AA** the requirements of the condition in (**clause 136AA (2)**) should actually be moved to form part of the requirements of proposed **clause 130A** and therefore form part of the complying development certificate approved documents which the principal certifying authority must work from.
6. **Clauses 152A, 152B, 153 (2A)** is incorrect should be referring to principal certifying authority not "certifying authority" wherever it occurs.
7. **Clause 162A (5) (b) & 162A(6)(b)** suggest should be 30% to be consistent with junction inspections to avoid confusion.
8. **Clause 146B (1)** requires condition to be placed on construction certificate which is a problem as construction certificate approval are meant to be issued without conditions. The requirements of the condition in (**clause 146B(2)**) should actually be moved to form part of the requirements of proposed **clause 144A** and therefore form part of the construction certificate approved documents. This same procedure should be the same for complying development even though conditions can be applied where prescribed.
9. **Clause 190B (1) (b)** should include the principal certifying authority.



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