

## The draft regulation change [23] to Clause 175 regarding the Certification of the Annual Fire Safety Statement

### Overview

Wormald has concerns with the direct replacement of “properly qualified person” with “competent fire safety practitioner” in relation with Annual Fire Safety Statement. Our concerns is that unlike the initial certification of an individual fire safety system or other essential life safety system at the completion of installation during construction, the annual review of all the installed fire safety system or other essential life safety system post construction during the life of the building could not be done by one individual competent fire safety practitioner. The concept of have “one” person (**competent fire safety practitioner**) who is competent to sign off all these system is not practical let alone their legal liability.

Wormald proposes the following alternative for your consideration.

Draft regulation proposal	Issue for implementation	Recommendation	Benefit
<p>The draft regulation ([23] Clause 175) proposes that fire safety statement assessments must be carried out by a <b>competent fire safety practitioner</b>.</p>	<p>Annual fire safety statement cover a large range of life safety essential services that can consist of a few services for one building and then for another building numerous services (30+ services) that can installed in a building.</p> <p>The concept of have “one” person who is competent to sign off all these system is not practical let alone their legal liability. Also to my knowledge such a competent person has not yet been identified in any accreditation scheme or related Australian qualification.</p>	<p>For the Annual fire safety statement recommend that regulation retain in the clause(s) of the regulation that would allow, that the building owner or a person who, in the written opinion of the relevant building owner on their behalf, is competent to evaluate supplied evidence from third parties on the range of life safety essential services is sufficient and credible to sign this declaration. The Owner representative may not necessary is a <b>Competent Fire Safety Practitioner</b>.</p> <p>This the Annual Fire Safety Statement Fire Safety Statement document declaration signed by Owner or his representative should be supported by supplementary documents that support this declaration as follows:</p> <ol style="list-style-type: none"> <li>1. For all <b>relevant fire safety system</b> a</li> </ol>	<ol style="list-style-type: none"> <li>1. Minimise cost to building owner for undertaking Annual Fire Safety Statement by utilising current providers and not having to engage limited specialist that the current proposal would require.</li> <li>2. There are accreditation schemes available that could be linked to <b>competent fire safety practitioner</b> for the listed relevant fire safety systems. The default is that the <b>competent fire safety practitioner</b> who is accredited to certify an installed system at completion of works would be competent also to certify that</li> </ol>

		<p>statement that verifies that the specific fire safety measure listed in the statement has been assessed by a <b>competent fire safety practitioner</b><sub>1</sub> (see note 1) for this relevant fire safety system and, that at the time of the assessment, the system was found to be capable of performing to at least the standard specified in the current fire safety schedule. The following are all <b>relevant fire safety system</b>:</p> <ul style="list-style-type: none"> <li>a. a hydraulic fire safety system</li> <li>b. a fire detection and alarm system,</li> <li>c. a mechanical ducted smoke control system</li> </ul> <p>2. For all other fire safety measures listed in the statement the owner must undertake industry recognised routine services (see note 1) to ensure that the system is routinely evaluated to judge that it is still capable of performing to at least the standard specified in the current fire safety schedule and certification. Evidence of this must be produced and certified by the provider(s) undertaking the recognised routine service(s). These provider(s) must be a company or sole trader who holds minimum required insurances such as at \$2 million in Professional Indemnity (PI) and \$10 million for Public &amp; Product Liability (PL) in the category of work they are certifying.</p> <p>3. A practitioner that who, in the written opinion of the relevant building owner, is competent to evaluate path of travels and required signage. This practitioner must</p>	<p>system is still capable to meet original design performance post construction during the life of that building.</p> <p>3. The listing of relevant fire safety systems can be increased as more pathways are developed for industry over time to provide competent fire safety practitioner for a specific fire safety measures.</p>
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		<p>be a company or sole trader who holds minimum required insurances such as at \$2 million in Professional Indemnity (PI) and \$10 million for Public &amp; Product Liability (PL) in the category of work they are certifying.</p> <p>(refer to Fig 1 for this overall process )</p> <p>Note 1:</p> <ul style="list-style-type: none"><li>• It is expected that the <b>competent fire safety practitioner</b> or the company that they are employed by would holds minimum required insurances such as at \$2 million in Professional Indemnity (PI) and \$10 million for Public &amp; Product Liability (PL) in the category of work they are certifying.</li></ul> <p>Note 2: Examples of industry recognised routine services for fire safety measures</p> <ul style="list-style-type: none"><li>• Routine services of fire protection systems and equipment to AS 1851-2012 (Standard covers active fire detection and fire suppression systems, passive fire systems and smoke management system as well as fire fighting systems)</li><li>• AS 2293.2 Emergency evacuation lighting for buildings – inspection and maintenance</li></ul>	
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Figure 1



