



PROPOSED CHANGES TO ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000

Penrith City Council Development Services Department Submission

January 2017

Introduction

Thank you for the opportunity to provide comment on the proposed changes to the EP&A Regulation 2000.

The initiative for reform of the NSW building regulation and certification in response to the review of the Building Professionals Act 2005 is welcomed. As a part of these reforms the proposed changes to the Regulation are generally supported as outlined in the submission below under the broad headings of the Commentary Paper

Involvement of “competent fire safety practitioners”

The proposal to incorporate “competent fire safety practitioners” into the building regulation and certification system is supported subject to a further opportunity to provide comment on the Draft Accreditation Framework.

The effectiveness of introducing the competent fire safety practitioners will be dependent upon the adequacy of the proposed accreditation scheme. Any such scheme will need to consider appropriate levels of knowledge and training or experience, as well as include a requirement for Continued Professional Development (CPD) for the accredited individuals.

It would also be beneficial to include different levels of accreditation based on the complexity of the system being assessed or the work being undertaken.

Submission of fire safety system plans and specifications and their retention on site

The requirement for the submission of plans and specifications for relevant fire safety system work and their retention on the construction site is supported.

It is recommended that this initiative be expanded to include a requirement for works as executed plans and specifications to be retained in the completed development in an Owners Building manual such as that proposed in Division 8 of the 2013 Planning Bill.

Limited exemption from compliance with some Building Code of Australia standards

This proposal is supported subject to the imposition of clear criteria/limitations around what is “minor works.”

New critical stage inspections

The requirement for the new critical stage inspections is supported.

It is recommended that consideration be given to requirement of an additional inspection to be undertaken to enable the testing/commissioning of the “relevant fire safety systems” to

be witnessed by the Certifier. Alternatively this should be mandated to occur during the final critical stage inspection.

Additional checks by Fire and rescue NSW

This proposal is supported and it is recommended that FRNSW signoff includes evidence of the commissioning and testing of systems.

Assessment by competent fire safety practitioners before issue of fire safety certification and standardised certificates

This initiative is supported.

Documenting, checking and endorsing of fire safety Alternative Solutions (non-standard fire safety designs)

This initiative is supported.

Assessment for fire safety statements by competent fire safety practitioners and standardised statements

This reform to the current regime of Fire safety Statements is supported.

It is recommended that reforms to this area are expanded to include;

- A requirement that the competent fire safety practitioner is required to sign off the Fire Safety Statement as well as or in lieu of the owner.
- A mechanism that allows for Fire Safety Schedules for minor changes to be updated, if required, during construction of the development and/or a final schedule be prepared prior to occupation of the development and approved by the certifier. This would not include major changes such as if an alternative solution was required. In this case an amended construction certificate would be required to be issued.
- The final fire safety schedule should match up with and be included in an Owners Building manual such as that proposed in Division 8 of the Draft 2013 Planning Bill.