



# BUILDING FIRE SAFETY COMMITTEE

## **Terms of Reference**

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Endorsed August 2021

## **Establishment and Status of the Building Fire Safety Committee**

Pursuant to Section 157 (17) of the *Planning Development and Infrastructure Act 2016* (“PDI Act”), the City of Salisbury (“the Council”) establishes a body to be known as the Salisbury Building Fire Safety Committee (“the Building Fire Safety Committee”).

The Building Fire Safety Committee is established for the purpose of acting as the “*appropriate authority*” (as that term is defined in the *Planning Development and Infrastructure Act 2016*) in respect of all fire safety matters arising under the PDI Act.

### **Membership**

1. Membership of the Building Fire Safety Committee shall consist of –

#### *Members*

- Mr Jeff Shillabeer (City of Salisbury staff), being a person appointed by the Council and who holds prescribed qualifications in building surveying.
  - Mr Paul Peters (City of Salisbury staff), being a person appointed by the Council and who holds prescribed qualifications in building surveying.
  - Mr James Sunjaya, Director J Squared Engineering Pty Ltd, being a person appointed by the Council as a person with expertise in the area of fire safety.
  - an authorised officer under Part 3 Division 5 or section 86 of the Fire and Emergency Services Act 2005 who, depending on the location of the Council area, has been approved by the Chief Officer of the relevant fire authority to participate as a BFSC Member of the Appropriate Authority (SAMFS Representative)
2. The Council appoints Jeffrey Shillabeer as the Presiding Member of the Building Fire Safety Committee.
  3. Other than the SAMFS Representative, all members of the BFSC are appointed for a term of 3 years.
  4. A BFSC Member is eligible for reappointment for a further term, upon the expiry of his or her current term.
  5. A BFSC Member whose term of office has expired may nevertheless continue to act as a BFSC Member until the vacancy is filled or for a period of six (6) months from the expiry of the BFSC Member’s term of office, whichever occurs first.
  6. The office of a member of the Building Fire Safety Committee (other than a SAMFS Representative) will become vacant if the member –
    - dies; or
    - completes a term of office and is not reappointed; or

- resigns by written notice addressed to the Council; or
- removed from office by the Council for any reasonable cause.

### **Terms of Reference**

7. The terms of reference and condition for the Building Fire Safety Committee are as follows –
  - a. The Building Fire Safety Committee is charged with the responsibility for all matters arising under Section 157 of the *Planning Development and Infrastructure Act 2016* including associated regulations which are of a building fire safety nature.
  - b. A member of the Building Fire Safety Committee who has a personal interest or a direct or indirect pecuniary interest in any matter before the Building Fire Safety Committee (other than an indirect interest which exists in common with a substantial class of persons) must not take part in any deliberations or decisions of the Building Fire Safety Committee in relation to that matter.
  - c. All committee appointees must act honestly, lawfully, in good faith, and in accordance with any code of conduct applicable to members.

### **Meeting procedures**

8. A quorum for a meeting of the Building Fire Safety Committee shall be three (3) persons.
9. All decisions of the Building Fire Safety Committee shall be made on the basis of a majority decision of the members present
10. The Building Fire Safety Committee shall meet at the main office of the City of Salisbury at 34 Church Street, Salisbury or at such other places as the Building Fire Safety Committee may, from time to time, determine.
11. The Building Fire Safety Committee shall meet at a day and at a time determined by the Presiding Member with a minimum three (3) ordinary meetings in each calendar year and may hold a special meeting at any other time at the direction of the Presiding Member.
12. The following provisions apply to the calling of meetings –
  - a. in the case of an ordinary meeting of the Building Fire Safety Committee, the Presiding Member must give each member of the Building Fire Safety Committee notice of a meeting at least five (5) clear business days before the date of the meeting.
  - b. in the case of a special meeting of the Building Fire Safety Committee, the Presiding Member must give each member of the Building Fire Safety Committee notice of the meeting at least four (24) hours before the commencement of the meeting.

- c. notice may be given to a member of the Building Fire Safety Committee –
- personally;
  - by delivering it to any place authorised in writing by the member; or
  - by an email known to be used by the person.
13. All decisions shall be made on the basis of majority decision of the members present and made by majority consensus.
14. The Presiding Member of the Building Fire Safety Committee must keep, or arrange to be kept, minutes of every meeting of the Building Fire Safety Committee. The minutes of the proceedings and meetings of the Building Fire Safety Committee must include –
- the names of the members present;
  - any disclosure of interest made by a member, and
  - all decisions.
15. The City of Salisbury will be responsible for all record holding as required under the *State Records Act 1997*.
16. All committee proceedings shall be treated as confidential.
17. The procedure to be observed at a meeting of the Building Fire Safety Committee insofar as the procedure is not prescribed by these terms of reference may be determined by the Committee.