

TERMS OF REFERENCE

Building Fire Safety Committee



1. Establishment

Pursuant to Section 71(19) of the Development Act 1993 the Council establishes a body to be known as the Yorke Peninsula Building Fire Safety Committee (“Building Fire Safety Committee”) for the purposes of acting as “the appropriate authority” (as the term is defined in the Development Act, 1993) in respect of all building fire safety matters.

2. Purpose

The Building Fire Safety Committee is charged with the responsibility for all matters arising under Section 71 of the Development Act 1993 which are of a building fire safety nature.

3. Membership

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

- Mr Peter Harmer, being a person appointed by the Council and who holds prescribed qualifications in building surveying;
- Mr Julian Aggiss, being a person nominated by the Chief Officer of the SA Country Fire Service and any deputy that may be nominated by the Chief Officer of the SA Country Fire Service to act as proxy in the absence of Mr Aggiss.
- Mr Roger Brooks, being a person appointed by the Council as a person with expertise in the area of fire safety.
- Mr Phillip Watters– being a person appointed by Council as a person with expertise in building fire safety.
- Mr Dustin Guthberg – being a person appointed by Council as a person with expertise in building fire safety.

3.2. The Council appoints Mr Peter Harmer as the Presiding member of the Building Fire Safety Committee for a term of three years.

3.3. All members of the Building Fire Safety Committee are appointed for a term of three years.

3.4. The office of a member of the Building Fire Safety Committee will become vacant if the Member –

- a) dies; or
- b) completes a term of office and is not reappointed; or
- c) resigns by written notice addressed to the Council; or
- d) is removed from office by the Council for any reasonable cause.

4. Quorum

A quorum for a meeting of the Building Fire Safety Committee shall be three and one of those members shall be the person nominated by the Chief Officer of the SA Country Fire Service.

Meetings are to be rescheduled where there is no quorum.

5. Meeting Details

The Building Fire Safety Committee shall meet at the Council's offices at 8 Elizabeth Street Maitland or at such other places as the Building Fire Safety Committee may from time to time determine.

6. Frequency of Meetings

The Building Fire Safety Committee shall meet on a day and at a time nominated by the Presiding Member with a minimum of two ordinary meetings each calendar year.

7. Notice of Meetings

The following provisions apply to the call 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 three (3) clear 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 a meeting at least twelve (12) hours before the commencement of the meeting.
- c) notice may be given to a member of the Building Fire Safety Committee:
 - personally;
 - by posting it in an envelope addressed to the person at their usual or last known place of residence or business;
 - by email transmission to an email address known to be used by the person.

8. Minutes of Meetings

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:

- a) the names of members present;
- b) in relation to each member present, if the member was not present for the entire meeting, the time at which the person entered or left the meeting;
- c) its motion or amendments, and the names of the mover and seconder;
- d) whether a motion or amendment is carried or lost;
- e) any disclosure of interest made by a member.

9. Meeting Procedures

Meetings will be held in accordance with:

- *Council's Code of Conduct: Council Employees*

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.

10. Reporting Responsibilities

Annual reporting to Council on the activities of the committee.

11. Decision Making

- 11.1.** All decisions of the Building Fire Safety Committee shall be made on the basis of a majority decision of the members present.
- 11.2.** Each member of the Building Fire Safety Committee present at a meeting must, subject to that person having an interest in the matter, vote on a question arising from a decision at that meeting.
- 11.3.** The inspection/investigation priorities and other operating procedures to be observed by the Building Fire Safety Committee may be determined by the Committee.
- 11.4.** 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.

12. Delegated Authority

The committee has powers as prescribed under Section 71 of the Development Act.

Adopted by Council	Next Review	Version	RM8 Ref #	Owner
14/09/2016	September 2019	1	16/12872	Development Services
12/04/2017	September 2019	2	16/12872	Development Services
12/12/2018	September 2021	3	16/12872	Development Services
12/06/2019	September 2021	4	16/12872	Development Services