



To our valued Form1 clients,

**Environmental Planning and Assessment Amendment
(Fire Safety and Building Certification) Regulation 2017
Important changes affecting the issue of your AFSS are
effective from 6th April 2020
Please Act Now**

As you may be aware, the NSW Department of Planning and Environment has recently advised that the effective date the previously announced regulatory changes will come into force is 6th April 2020.

From this date onwards you will require an externally accredited “Competent Fire Safety Practitioner” (CFSP) to endorse (sign) the performance of each Essential Fire Safety Measure on your Annual Fire Safety Statement.

This means that after 6th April, all building safety features will need to be independently assessed by an accredited CFSP.

History

The *Environmental Planning and Assessment Amendment (Fire Safety and Building Certification) Regulation 2017* came into force on 1 October 2017, to amend the *Environmental Planning and Assessment Regulation 2000*.

The reforms were in response to an independent review of the *Building Professionals Act 2005*, released in October 2015 that found a ‘*number of significant problems with the current building regulation and certification system*’. The Department of Planning and Environment has stated the amendments are designed to improve fire safety in buildings and increase confidence in fire safety systems.

A transition period was implemented to allow time for building owners to understand the regulatory changes, and for an increased number of building surveyors to be accredited to accommodate the increased demand for their services.

The transition period was originally to conclude in October 2019 and was then extended further as additional changes were made to the requirements. The Department have recently announced the effective date of the most recent amendments will now be 6th April 2020 and confirmed there will be no further extensions.



Goal of the regulatory changes

The goal of the amendments is to increase building safety through introducing a level of transparency not previously enjoyed by most building owners, whereby a maintenance contractor's work should be independently assessed by a CFSP to ensure compliance. Therefore, improving safety to occupants, providing peace of mind to facility managers, reducing risk of litigation and enhancing risk management to building owners, and assisting in reducing costs.

Independent assessment of facilities' fire safety measures by an accredited third-party CFSP, provides leverage for building owners to put forward a strong argument to their insurers for premium reduction.

Form1's view is that to continue self-assessment, which has been the cause of most of the problems within the building industry and associated trades, is self-serving. Self-assessment will not improve safety to occupants, will not provide transparency and peace of mind to building owners, will not provide additional legal protection to facility managers, and will not enhance risk management.

Form1's suggested approach to the regulatory changes

A number of Form1 clients have for quite some years engaged independent third-party accredited CFSP's to audit Form1's work and sign off on Annual Fire Safety Statements. Typically, the CFSP will audit Form1's test records, witness flow tests, mechanical interface testing, sound pressure level tests, and review egress and paths of travel for a relatively small additional investment in your occupant's safety.

Clients adopting this approach include Catholic Healthcare Limited, Allity Aged Care, Ramsay Health (private hospitals), Healthscope (private hospitals), Southern Cross Aged Care, Uniting Care, Knight Frank, Colliers, and CB Richard Ellis to name a few. Form1 have always stood by the quality of our work and welcome clients engaging an accredited third party to carry out audits. These clients who already engage a CFSP to audit Form1's work do not need to make any changes to accommodate the new regulatory changes, as they already comply.

Most of Form1's clients are now transitioning to this approach as the regulatory changes draw near, as they understand the goals and benefits of the changes are to separate certification from maintenance, providing you with peace of mind, and making certification truly independent and no longer self-serving.

Form1 can recommend three very reputable CFSP's, that Form1's clients have independently engaged, and have long standing relationships with;



AESC (Australian Essential Services Compliance)

Ray Chaney
Mobile: 0438 474620
www.aesc.com.au

Stokes Safety (Building Safety Audit Specialists)

Pat Stokes
Mobile: 0425 828485
www.stokessafety.com.au

Formiga1

Steve Passfield
Mobile: 0417 063635
www.formiga1.com

Form1 understand that this approach will result in some additional investment to clients, however feel the benefits that are provided far outweigh the costs. Form1 assist the building surveyors by maintaining our Essential Services Folders on site for the benefit of our clients, and this assists in keeping additional costs to a minimum.

Although Form1 suggest an independent approach, we are fully equipped to handle the new regulatory changes in house with our own CFSP's on the Form1 team if that is what our clients prefer.

Form1's suggested options for clients

Option 1: Form1's preferred approach is for true independence, with clients engaging a CFSP of their choice, providing all the benefits of the regulatory changes as previously noted above.

Option 2: Form1 can include the CFSP's costs into a client's agreement if the client wants to bundle the services and is happy for Form1 to manage the process for them.

Option 3: If clients prefer not to engage an independent third-party CFSP and prefer Form1 to carry out all CFSP tasks related to the issue of the Annual Fire Safety Statement, then the costs of this approach will need to be reflected in a revised agreement, as there are significant additional costs to Form1 associated with provision of the additional services, and training of the CFSP's.

We would be pleased to discuss which approach to the new regulatory changes best meets your needs. Can you please contact your local Form1 office if you have any further questions.