

Presbytery of Port Phillip West



Uniting Church in Australia
SYNOD OF VICTORIA AND TASMANIA

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A graphic with a red background featuring a pattern of white triangles. A white rounded rectangle is centered on the background, containing the text "Essential Safety Measures" in a bold, red, sans-serif font.

***Essential Safety
Measures***

Presentation overview



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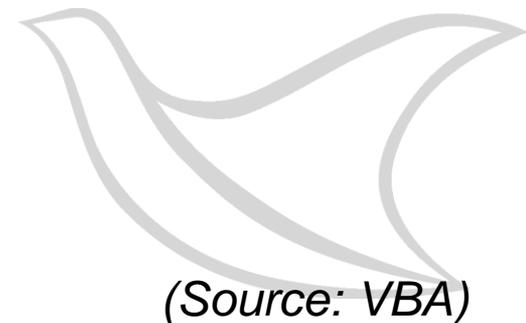
1. What are ESMs?
2. Why are ESMs important?
3. ESMs and OHS
4. What must we do?
5. Why us?
6. UCA Regulations and Responsible Body
7. Property Services support
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What are ESMs



- An essential safety measure (ESM) includes an item required to be specified by a Relevant Building Surveyor (RBS) under Regulation 194 and Part 15 of the Building Regulations in Victoria, that is integral for people's safety in commercial and public buildings in the event of an emergency. Each building has its own unique list of Essential Safety Measure items.



(Source: VBA)

What are ESMs



ESMs include fire safety systems installed to protect building occupants



They also include exit doors, emergency lighting, exit signs and fire hydrants



Adequate maintenance will ensure ESMs operate reliably if an emergency arises



Non-compliance puts occupants, passers-by and adjoining buildings at risk



Non-compliance may result in fines

(Source: VBA)

What are ESMs



The term 'essential safety measure' is defined in Part 15 of the Building Regulations 2018 (the Regulations) and includes items listed in Schedule 8 of the Regulations, such as:

- air handling systems (used for smoke hazard management)
- exit doors
- early warning systems
- emergency lifts
- emergency lighting
- emergency power supply
- emergency warning systems
- exit signs
- fire control centres
- fire curtains and doors
- fire extinguishers
- fire detection and alarm systems
- fire hydrants
- fire isolated stairs
- fire rated materials
- fire windows
- mechanical ventilation (incorporate a cooling tower or hot or warm water system)
- fire isolated passageways and ramps
- paths of travel to exits
- smoke alarms
- smoke control systems
- sprinkler systems

(Source: VBA)



What are ESMs

- ESM's also include other items which have been designated by the relevant Building Surveyor as an essential safety measure (eg result of alternative solution). Such additions will be listed on the building's Occupancy Permit and/or Maintenance Determination.
- Remember, every building is different. And so too may be the equipment servicing that building; the type, the quantity, the installation and even the level of servicing required.
- ESMs are to be maintained regardless of whether a building is occupied or unoccupied eg current pandemic lockdown. An increased risk of fire can occur in an unoccupied building – testing ESM's is an essential service.





Why are ESMs important?

- Essential Safety Measures (ESMs) are the safety features required in a building to protect occupants in the event of a fire or another emergency event.
- ESMs act as a **first line of defence** in the event of an emergency, such as a fire.

(Source: VBA)

- And yes, we have had fires in UCA buildings.





- ESMs come under the Victorian Building Act and Regulations and the National Construction Code. The legislation relates to the building.
- OHS comes under the Victorian Occupational Health and Safety Act and Regulations. The OHS Act seeks to protect the health, safety and welfare of employees and other people at work. It also aims to ensure that the health and safety of the public is not put at risk by work activities. **Churches, halls, shops and kindergartens are all workplaces.**
- Continuous access to exits and paths of travel in the event of an emergency is both a requirement under both OHS legislation and the Building Regulations.
- Congregations should not attempt to manage ESMs without a Maintenance Determination and Maintenance Schedule (if the building does not have an Occupancy Permit) provided by a Registered Building Surveyor.

What must we do?



Owner's responsibilities

- Maintain ESMs in a state that enables the ESM to fulfil its purpose.
- To ensure that ESMs have been inspected, tested and maintained in accordance with the Building Act and Regulations.
- Maintenance records must be kept and made available.
- This includes a record of rectification of deficiencies.

Occupier's responsibilities (tenant if rented)

- New commercial lease arrangements can recover the cost of testing ESMs.
- Responsible for continuous access to exits and paths of travel prepared for an emergency.
- Ensure no interference with the ESM's.



What must we do?



Step 1

- **For buildings built after 1 July 1994:** display your Occupancy Permit in the foyer of the building.
- An Occupancy Permit is a document that confirms your Building Surveyor is satisfied the building is suitable for occupation. These should be available for buildings constructed or parts of buildings upgraded after 1 July 1994.
- An Occupancy Permit issued after 1 July 1994 will specify the ESMs and their required maintenance schedule.



What must we do?



OR

Step 1

- **For buildings built before 1 July 1994** where no upgrades have been undertaken:
- Obtain a Maintenance Determination from a **Registered Building Surveyor** which will outline your ESM Maintenance Schedule
- A Maintenance Determination and Schedule sets out the level of performance required to enable the ESM to fulfil its purpose and the frequency and type of maintenance required.



What must we do?



Step 2

- Install and maintain the equipment for testing of ESMs in accordance with either your Occupancy Permit ESM Schedule or Maintenance Schedule.
- Keep records in a log book of all ESMs maintenance and repair work.
- This includes engaging qualified contractors for the testing, repair and replacement of items such as emergency and exit lighting, fire hydrant systems, fire hose reels and portable fire extinguishers.





What must we do?

Step 3

- On each anniversary of the Occupancy Permit or the Maintenance Schedule date, prepare an Annual Essential Safety Measures Report (AESMR). 12 months' evidence of testing is required to complete an AESMR and there must be no outstanding compliance items. The AESMR must be in the prescribed form.
- Property Services recommends the engagement of a contractor (such as Statcom) for the sign off of the AESMR, a legal document, as they have the required experience. The **AESMR does not need to be signed by a Registered Building Surveyor.**
- An AESMR is signed off where all reasonable steps to ensure that all ESMs have been maintained in a state that enables them to fulfil their purpose and ESMs have been inspected, tested, and maintained in accordance with the Building Act & Regulations.

Why us?



- Essential safety measures apply to all buildings apart from a house or outbuilding. Building Classifications are under the National Construction Code (NCC)



Class 9

Public buildings – includes three sub-classifications:

- Class 9a – healthcare buildings such as hospitals and day surgery clinics
- Class 9b – buildings where people assemble for social, political, theatrical, religious or civic purposes, e.g. schools, universities, sports facilities, night clubs
- Class 9c – aged care facilities.



Class 6

Buildings where retail goods are sold or services are supplied to the public, such as shops or restaurants. This class may include:

- hairdressing salon
- public laundry
- shopping centre
- funeral parlour
- showroom.

UCA Regulations and Responsible Body



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- Definitions - Responsible body means any body of the Church to which specific responsibilities are assigned by the Constitution or by any UCA Regulation, bylaw or rule;
- 4.1 Property Definitions - Responsible body means a body that is responsible for the management and administration of property, and which either itself carries out those responsibilities or appoints another body to undertake them either in whole or in part;
- 4.4.1 Subject to the UCA Regulations, the by-laws of the Synod and the rules of Presbytery, **the Church Council shall be responsible for the management and administration of all property of the Church acquired or held for the use of the Congregation ...**





Property Services Support

- Letter sent to all Church Councils.
- Property Services available for advice.
- ESM information sessions.
- Discounted rates with Statcom to assist with Annual Report, monitoring, log books, access to web based portal.
- Assistance with contractors who perform the testing, maintenance and repairs – seeking response from Church Councils for collective tender/procurement, including test and tag.

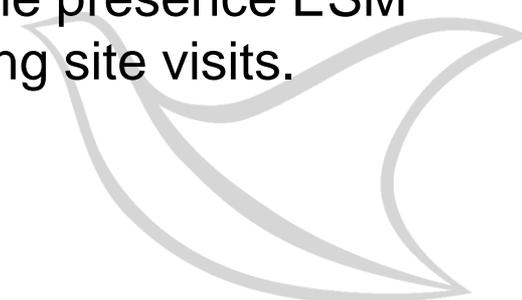
Remember, only a Registered Building Surveyor may identify the ESMs for your building and prepare the ESM Maintenance Determination and Schedule if there is not an existing Occupancy Certificate that sets out the ESMs.





Property Services Support

- Development Managers and Project Managers will assist in setting up your ESM program at the conclusion of new constructions.
- AESMRs will become standard attachments for property applications to Lease Commercial Buildings and for Church Renovations/Developments.
- New Commercial Leases should pass on ESM maintenance costs.
- Property Services can assist with discussions with Uniting regarding ESMs.
- ESM costs should become standard items in congregation's annual budgets and forecasts.
- Property Services staff will continue to observe the presence ESM log books as evidence of ESM maintenance during site visits.



Further help and assistance



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- Presbytery
- Property Services

