



What are Essential Safety Measures (ESM)?

The term “Essential Safety Measure” is defined in Part 15 of the Victorian Government’s Building Regulations 2018 and includes items listed in Schedule 8 of the Building 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 to exits
- smoke alarms
- smoke-control systems
- sprinkler systems

An ESM Maintenance Schedule is unique to each building. ESMs will vary due to the number of floors, equipment, use and type of building.

What buildings require ESMs?

All non-residential buildings in Victoria (including churches/church halls/shops/offices/kindergartens, etc).

What do Church Councils need to do?

Step 1 - For buildings built in 1994 and onwards: display your occupancy permit in the foyer
OR

Step 1 - For buildings built before 1994 where no upgrades have been undertaken: Obtain a Maintenance Determination from a registered building surveyor which will outline your ESM Maintenance Schedule

For all buildings regardless of when they were built:

- Step 2 - Service/maintain (including testing) your ESMs in accordance with the Occupancy Permit or ESM Maintenance Schedule
- Step 3 - Obtain an Annual Essential Safety Measures Report. At least 12 months’ evidence of testing is required to complete an AESMR. If you are not using Statcom, email your completed AESMR and evidence to aesmr@victas.uca.org.au



What is an Occupancy Permit?

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.

What if we can't find our Occupancy Permit?

If you cannot locate a copy of the Occupancy Permit for buildings constructed or parts of buildings upgraded after 1 July 1994; this can be obtained from your Local Council. A letter of consent that you can provide to your Local Council for a Church Council representative to obtain a copy of the Occupancy Permit is enclosed in the ESM information pack; this will need to accompany whatever form your Local Council requires to obtain the Occupancy Permit.

What is a Maintenance Determination and Schedule?

A Maintenance Determination and Schedule is issued for a building by a Registered Building Surveyor. 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.

When do Church Councils need to undertake these actions?

As soon as possible as the legislative requirement is already in place and it takes 12 months of testing and keeping of those records in order to sign off an Annual Essential Safety Measures Report. An update to the progress of congregations working towards having their ESM program in place will be reported to the Property Applications Review Team by the end of February 2022.

How much should Church Councils be budgeting for?

- \$1500-\$2000 (plus GST) for a Maintenance Determination and ESM Maintenance Schedule (for buildings built before 1994 only)
- \$850 (plus GST) for an Annual Essential Safety Measures Report (includes quarterly inspections)
- Further costs for the contractors who will check and maintain your ESMs – this cost is building-specific.



I've been going to my church for decades and we have never had to do this before. Why now?

The requirements for ESMs and the Annual ESM Report are not new. Previously, this information was supplied to Church Councils via the OHS Manual and included a self-assessment tool. This tool is no longer compatible with current Victorian State Government legislative requirements.

The Synod Property Services Team is now communicating with all Church Councils to ensure they understand their obligations.

What if we can't afford it?

ESMs are a legal obligation. Furthermore, we have an obligation to ensure our buildings are safe for all occupants.

For some Church Councils facing these latest costs may mean addressing bigger questions about being able to afford to use the building. We encourage you to talk to your Presbytery about what this will mean for your situation. Topics that could be explored include: are there alternative spaces for you to continue doing church without all the costs of running a building yourselves and what building priorities need to be reviewed in order to meet the costs of maintaining your ESMs for these buildings.

Do we have to use Statcom for the Maintenance Determination and Schedule?

No, but you must engage a Registered Building Surveyor. Other providers we recommend are:

- Kretna Building Surveyors, Ph: (03) 9427 9333, E: office@krneta.com.au
- Hendry, Ph: 1800 875 371, E: info@hendry.com.au
- BSA Building Surveyors, Ph: (03) 5241 2559, E: admin@bsabs.com.au



Who can sign off on the Annual Essential Safety Measures Report (AESMR)?

AESMR can only be signed off if there is either an Occupancy Permit or Maintenance Schedule in place. AESMR can be signed off by either a contractor, such as Statcom, or by a nominated member of the Church Council 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. The AESMR does not need to be signed off by a Registered Building Surveyor (please note: Only a registered building surveyor can prepare an ESM Maintenance Determination and Schedule).

Can we complete our AESMR without a Maintenance Determination and Schedule?

If your building is built after 1 July 1994 and has an Occupancy Permit you do not require a Maintenance Determination and Schedule. The Property Applications Review Team has recently endorsed the Synod of Victoria and Tasmania's Essential Safety Measures approach which includes a Maintenance Determination and Schedule for buildings pre 1 July 1994 where no upgrades have been made ie no Occupancy Permit. Only a registered building surveyor can prepare an ESM Maintenance Determination and Schedule.

Where can we get more information?

Relevant legislation – Victorian Building Regulations 2018, see Part 15 on page 193

<https://www.legislation.vic.gov.au/in-force/statutory-rules/building-regulations-2018/014>

Victorian Building Authority

<https://www.vba.vic.gov.au/consumers/guides/essential-safety-measures>

VBA podcasts

<https://podcasts.apple.com/au/podcast/in-safe-hands-essential-safety-measures/id1536095543>