



INFORMATION SHEET NO. 6

ESSENTIAL SAFETY PROVISIONS

Development Act 1993 – Development Regulations 2008 Regulation 76

This regulation applies in relation to a building in which essential safety provisions (*fire extinguishers, exit signs, emergency lighting, hydrants, smoke alarms etc*) are installed or required to be installed or to be inspected, tested or maintained under the Building Code of Australia called up by reference under the Development Act, 1993, or any former regulations under the Building Act 1971.

In this regulation, a reference to maintenance in respect of essential safety provisions includes a reference to replacing the safety provisions, and to keeping records relating to the carrying out of maintenance work on the safety provisions.

Form 1

The Council must issue a schedule that specifies the essential safety provisions for the building; and the standards or other requirements for maintenance and testing in respect of each of those essential safety provisions as set out in Minister's Specification SA 76. This form is signed by the authorised officer of Council and is kept by the owner.

Regulation 76(3)

Form 2

This form is to be signed by the installer of the safety provision or, if the installer is a company, signed by the manager responsible for the installation work; once the installation of the safety provision has been completed. This form is to be returned to Council (with the builders completion statement) before a Certificate of Occupancy can be issued.

Regulation 76(3a)

Form 3

The owner of a building in relation to which a schedule of essential safety provisions has been issued must, as soon as practicable after the end of each calendar year, provide proof to Council of the adequate carrying out of maintenance and testing in respect of those safety provisions. The owner of the building signs this form and certifies the maintenance and testing has been completed for the year and then submits it to Council every January.

Regulation 76(5)

Note: Form 3 is not required to be submitted each year by the building owner if the building is a Class 3, 4, 5, 6, 7, 8 or 9b and less than 500m² in area, or; a Class 2 and less than 2000m², or; a Class 1a, 1b or 10 building. Exceptions to this rule apply if the subject of a Section 71 fire safety notice or required as a variance to the performance requirements of the BCA or a condition to a consent.

*Please note the information contained herein is intended as a guide only.
Further clarification may be obtained by contacting the Council on 8525 3200.*