

**Publication Date: 7 April 2020**  
**YSP Podcast Transcript: Episode 208. Finally, an accreditation for fire safety practitioners**

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**Intro:** Welcome to Your Strata Property, the podcast for property owners looking for reliable, accurate and bite-sized information from an experienced and authoritative source. To access previous episodes and useful strata tips, go to [www.yourstrataproperty.com.au](http://www.yourstrataproperty.com.au).

**Amanda Farmer:** Hello and welcome to this week's episode of the podcast. I am your host, Amanda Farmer, and it is my job each week to help demystify the legal complexities of apartment living.

For the last couple of weeks I have brought you episodes focused on answering your Covid-related questions. Episodes 204, 206 and 207 fall into that category. But this week we are returning somewhat to our usual programming. I'm bringing you my interview with Rob Broadhead, the CEO of 2020 Fire Protection. Rob is a previous podcast guest. We chatted back in episode number 178 when I asked Rob about this term used in our legislation in New South Wales, competent fire safety practitioner. Now at that time Rob told us that progress was being made on an accreditation system for fire safety practitioners so that our buildings could be sure that they were using someone who met that description when it came time to complete the annual fire safety statement.

Now in today's interview Rob is telling us about the Fire Protection Association of Australia's accreditation scheme which is due to be up and running by the time this episode goes to air. As well as being the CEO of 2020 Fire Protection, Rob is a graduate of the Institute of Fire Engineers, an accredited competent fire safety practitioner, and a member of FPA Australia's New South Wales coordinating committee.

Rob's been in the fire protection industry since 1992, has contributed to Australian standards and helped draft fire protection training for Strata Communities Association. Rob tells me he's passionate about improving general knowledge around fire safety so that building occupants and owners can make good decisions about fire protection before the worst occurs.

Now as well as talking about the new accreditation scheme, Rob and I talk a little bit about the proposed new fire safety standard for short-term rental accommodation in New South Wales. There are some very interesting, I think, points in there for those of you who are looking for ways to deal with short-term letting in your residential buildings, so listen out for that discussion.

I also ask Rob what his recent experience has been gaining access to lots for the purpose of signing off on fire safety items, at a time when some people are isolating, quarantining, simply concerned about contractors accessing their homes. Now this issue was also discussed in last week's episode, number 207. It was highlighted there that the City of Sydney Council currently has a policy in place where they are holding back penalty infringement notices, or PINs, should buildings be able to show that access to apartments has not been possible due to people in isolation or confirmed Covid cases.

Rob has since shared with me that this may not be a complete reprieve for buildings and they should still be sure to obtain sign-off for all items that are in common areas, like hydrants, extinguishers, auto fire detection systems, mechanical air handling. It is possible, and preferable, for at least partial completion of annual fire safety statements to be attended to, especially, and most importantly of course, for safety reasons.

I have also since heard that Inner West Council in Sydney is willing to provide an additional 3 months extension on AFSS submissions where it's not possible to lodge a complete statement. Their advice has been that supplementary AFSSs still need to be lodged based on available information, with outstanding information to be lodged as soon as practicable. So that matches what Rob has been sharing with me as well.

So strata managers listening, do communicate directly with the relevant local councils to work out their specific requirements for your buildings, whether you can obtain extensions or submit partial fire safety statements or supplementary fire safety statements.

From what I am hearing and seeing, you, strata managers, are all doing a marvelous job advocating for your buildings. This is just one example where you're looking into these possibilities of extending fire safety submission deadlines.



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**Amanda Farmer:** You're answering difficult questions, you are easing anxieties during a pretty tough time. I know that you are also doing your best to keep up-to-date with the rapidly flowing and fast-changing information that is coming through. I want to say thank you. As a strata resident myself, as a committee member myself, I think you strata managers are absolute heroes. I've always thought that but never more so than now, when I see so many of you just stepping up and into that position of informed guide, unexpected leader, and advocate for your clients.

I have been thinking about ways that I can continue to help you strata managers, as well as committee members, owners and residents, to help you work out what is the need-to-know information, where can you find it, what is the most accurate and the most helpful resources that are circulating. What I've done to that end, within the last few days, is set up a dedicated webpage, a page that can be your information hub when it comes to Covid and strata living. The web address is [covidandapartments.info](https://covidandapartments.info). That's [covidandapartments.info](https://covidandapartments.info). I will put the link in the show notes to this episode.

It's a place where I'm putting all the guides, articles, web links, podcast episodes, videos, that I believe best answer your recurring Covid questions. These are resources that you can rely on, including sharing them with your clients, if you're a strata manager, or other residents and committee members. You'll find the various SCA guides in there, the OCN guides, other best practice resources that have been drawn to my attention and that I believe contain helpful information. There is also space for you to post questions on that page and I'll be reviewing those regularly and can answer them for you in upcoming podcast episodes or even in a Friday happy hour chat over on the Facebook page.

So do check out [covidandapartments.info](https://covidandapartments.info). I am adding more to it every day and there is an option there for you to receive inbox updates on any important additions to the page. If you do have a resource that you believe should be there, please do send it across to me. I am committed to making sure that we are helping as many people as we can, as effectively and efficiently as possible.

Now with that, let's offer some help when it comes to fire safety and move on to my chat with Rob Broadhead of 2020 Fire Protection.

**Rob Broadhead:** Hi, Amanda, how are you?

**Amanda Farmer:** I am good thanks, Rob. Welcome to the show. Welcome back to the show, I should say. We had you here back in episode 178, where you were demystifying the fire protection game for us. A little bit has changed I think since then, there's something new on the horizon. I'm very happy to have you with us today, filling us in on that.

**Rob Broadhead:** Thanks, Amanda. It certainly has changed a bit. What we were talking about back then is all coming to fruition now. So, 6th of April, the world changes in terms of fire protection, assuming that the rest of the world changing with Covid-19 doesn't change it for us.

**Amanda Farmer:** What exactly is happening on the 6th of April?

**Rob Broadhead:** So from the 6th of April, the people who are endorsing the measures, so effectively signing off the individual pieces of equipment as performing correctly in your building, must be an accredited competent fire safety practitioner, or CFSP, as we talked about last time. So that's the big change coming.

**Amanda Farmer:** Okay. So last time you mentioned that this was on the way, we didn't have a system in place, if you like, for accrediting competent fire safety practitioners, even though we were obliged to be using them, and we didn't have a register of who these people were, where to find them, to come and sign off our fire safety equipment in our strata buildings. So what is this process for getting accredited and is there now going to be a register that our strata managers can check when they are instructing or engaging professionals to come out and do the fire safety checks?

**Rob Broadhead:** First and foremost, yes, there is a register of the accredited people, so that's great. That went up about a week and a bit ago. I'll give you the web address for that so you can put it on the podcast.

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**Amanda Farmer:** Great.

**Rob Broadhead:** It's absolutely a list now. It lists who is accredited and it allows you to click into their name and determine what they're accredited to endorse.

In terms of the process that we went through to get here, just after February last year we had to sign up for some more insurance, we had to sign a code of practice, and we had to state that we would undertake whatever training was required between now and when this gets into place to become accredited. Since then, we've... certainly, in my case, I've gone through about 28 exams I think so far-

**Amanda Farmer:** My goodness.

**Rob Broadhead:** ... to do this. Yes.

**Amanda Farmer:** Wow.

**Rob Broadhead:** I've got 2 to go before the 6th of April, so I'd better get my butt into gear for that. But certainly one of our staff has done all of them, so he's completely accredited for everything, and both are on the list. There's probably about 2 weeks of pulling together all the evidence that we had to do this. There was all those exams. We've been to about 3 or 4 different seminars and courses to make sure that we're up to speed on what we need to do with it. And a whole lot of study I guess, just to be able to pass those exams correctly, and they were pretty tough.

**Amanda Farmer:** Were there a lot of people in the industry going and doing these exams and going through this rigorous process, by the sounds of it?

**Rob Broadhead:** Yes.

**Amanda Farmer:** Good.

**Rob Broadhead:** There was 1,200 people I think, last time I checked, that were on the interim list, so the interim list being we haven't done any of the exams, we've just gone through the initial process. Last when I looked, there was 120 people who were accredited in something.

**Amanda Farmer:** Perfect. Okay. We'll dig into that. Just to clarify for our listeners, we are talking about competent fire safety professionals who can come into your building and do the inspections and the checks and the sign-off for your annual fire safety statement. Is that right?

**Rob Broadhead:** That's correct, yes. They're inspecting and verifying that the systems perform the way they were designed and installed.

**Amanda Farmer:** Great.

**Rob Broadhead:** So to touch on what you said there before, essentially, I might be a sprinkler expert and I can become accredited in sprinklers, but I might not be an expert in smoke detection or smoke alarms or fire doors, and I may not be accredited for that. So that's really the thing that strata managers and people in strata need to be looking for, is the person, or the company for that matter, that they are engaging to put together their annual fire safety statement, do they have CSFPs who are accredited in all the measures applicable to that building? So can they do sprinklers and detection and fire extinguishers and smoke alarms? Can they do the emergency lifts or the mechanical air handling? All of those sort of complexities.

So in terms of the challenge for strata managers, it really lies in them double checking that the person or the company they're engaging is accredited in everything required for their building.

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**Amanda Farmer:** Can they do that by looking at the register or is this something you're suggesting they ask the practitioner and seek confirmation about?

**Rob Broadhead:** I would suggest they do both. So they should be asking their contractor right now are they accredited in everything required to issue the annual fire safety statement or will they give an undertaking that they will be in time for the annual fire safety statement. But any person right now can go straight to that, it's called the Connect website. They can go straight there. They can select on myself, Robert Broadhead, click on the little arrow next to it, and it will give you an entire list... I'm looking at it right now... of all the things that I'm accredited to endorse on there.

**Amanda Farmer:** Great. I imagine the fact that you've done 28 exams is because you're accredited across the board for all these different types of equipment.

**Rob Broadhead:** Correct.

**Amanda Farmer:** So that's what it takes to be accredited in as many things as you can. Okay, good. What does this mean for owners? Are we going to look at increased costs for our annual fire safety statements? From what I've seen, they've been reasonably cheap for many years, and probably too cheap. Is now this increasing professionalism really and qualification of our fire safety practitioners, is that going to mean that you're charging more for your time? How's that going to work?

**Rob Broadhead:** I think you hit the nail on the head firstly about an increase in professionalism. One of the things that has been a challenge in our industry is that if you go to 3 fire companies and ask them the same question, you've often been getting 3 different answers, and much of that has been talked about as being interpretations of the standards or interpretations of the law, but, to be honest, I think it's probably more likely interpretation due to the level of knowledge of the 3 individuals you're asking, and this is really raising the bar up so that we're all on the same level of knowledge and skills and proven ability. So ultimately this is trying to move our ragtag group of tradies to become a profession, no different to law or otherwise, where there's something underpinning your advice being provided.

In terms of price, I think there's no doubt in the world that the price will go up for the owners. But, on the other side, they're passing away some of that risk to an insured professional, an insured and accredited professional, and on the other side they're getting professional advice that they can rely on rather than an opinion of someone based on their level of experience.

**Amanda Farmer:** Mm-hmm (affirmative). And safety obviously, an assurance of that safety, that your building's safety devices have been properly checked and everything is in order, and that's something that you can rely on and sleep a bit better at night, I would think.

**Rob Broadhead:** Exactly right. Part of what will occur in this is that the annual fire safety statement process is not a new one. So this came about in 2000 when the environmental planning assessment regulation got changed. It was always supposed to be a completely separate process to the inspection and testing. So inspection and testing is checking that it's there, checking that it works, and that's about as far as that goes. The annual fire safety statement was always supposed to be a separate process and almost an audit and verification of whether it performs the way it was supposed to. Not just there and working, but does it still perform in entirety for that building.

So we're going to see that thing which has slowly merged together, because there's been no policing, no checking of whether it's accurate, it's going to start pulling back apart again. So the inspection testing is one thing you do to make sure your car keeps running and the AFSS is checking that it still works the way it was supposed to in the first place. So similar to the things that your car and things like that every year.

**Amanda Farmer:** Am I right then that the AFSS is the document that has to be signed off by the competent fire safety practitioner? Otherwise, are you saying other inspection and testing could be done by someone who is not accredited as one of these competent practitioners?

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**Rob Broadhead:** At this point in time, yes, but when you listen to people like David Chandler, the Building Commissioner for New South Wales, he's talking about his next phase of building regulation being all around the licensing and accreditation of all of the professionals involved in building, whether that be maintenance, whether that be strata, whether that be inspection and testing. All of those people, in the next phases of the building regulation changes, will be licensed. So I think they're going to tie in together, and the evidence that comes from the inspection testing forms part of what the competent fire safety practitioner is verifying.

**Amanda Farmer:** Yes. I imagine if you've got the wrong things installed in the wrong places, or doing the wrong job, they've been installed by someone who was legally able to install them but they're not correct, and then your accredited professional comes in and says, "Well, I can't sign off on the AFSS because these are just the wrong devices in the wrong places doing the wrong things," understandably, buildings are going to throw their hands up and say, "This doesn't make any sense. You should never have been here in the first place." I can see why we must move to that merged system, if you like.

**Rob Broadhead:** I can see that issue happening quite a lot in the first couple of years of this process coming in place, where people are going to say, "Hang on a second. This building may never have complied. It never did perform," or, "It may never have performed." So that's going to be uncomfortable, I imagine, for everybody, and unfortunately paid for by the owners unless they've got defect liability periods still outstanding. But once all buildings are at their correct level of performance, then it should be a much simpler process, a much more transparent process, a much more consistent process.

**Amanda Farmer:** Yes. Well, we've got to start somewhere and I am encouraged by the fact that we were talking about this a few months ago and there has been progress, and assuming things don't get delayed, as we're seeing a few commencement days being delayed just because of the state of the world at the time we're recording this, this has been closed out, if you like, this plan, the register is there. I will put a link to that in the show notes for this episode so everyone can go and check it out.

Rob, what happens if a building finds that the company that they've used perhaps, perhaps it's June and they've just used a company to sign off on their AFSS, and they've listened to this podcast and they've gone back to have a check and they've said, "Oops, this company was not accredited, is not on the register. What happens then?"

**Rob Broadhead:** There's no issue at the moment because until 6th of April, when this gets gazetted, anyone can be a competent fire safety practitioner, if you will. There's obviously an interim register but, by and large, it's really the owners or the strata manager saying that that person, or they believe that person is competent.

Post 6th of April, then it's a problem, that the owners must be engaging an accredited professional. So that's really where it changes for strata managers. They've really got to be checking that the people they are engaging are actually accredited for all the things in their building. That, I think, is the administrative step that a strata manager will have to build into their AFSS management procedure. So go in there, look at the AFSS, read all the measures, and make sure you can tie those off against the things the competent fire safety practitioner is accredited to do.

**Amanda Farmer:** Yes, good tip. Talking about the state of the world at the time that we're recording, Rob, it just occurs to me to ask you now, are you, or is your team, who I know does this work, are they experiencing any difficulties in terms of getting access to properties, or concerns perhaps being raised about your contractors having to be onsite in a building, accessing lots, where people might be self-isolating or trying to reduce contact? How does that then impact the deadlines that we have for our AFSS? It was something that was raised in a member webinar that I did last week. Are you seeing that from your perspective, that contractors are having difficulty getting in and doing work at the moment?

**Rob Broadhead:** In terms of the residential strata, we've had no significant change to it. In fact, we've gone into more apartments than we were before because everyone is-

**Amanda Farmer:** People are home.

**Rob Broadhead:** ... working at home like the rest of us.



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**Amanda Farmer:** Good on you.

**Rob Broadhead:** We're taking very stringent precautions in terms of our personnel, with their personal protective equipment. They're sanitising their hands in between every apartment. They're keeping their social distancing, and we've split our teams completely to make sure that there's no cross-pollination between people or apartments, or otherwise.

**Amanda Farmer:** Right.

**Rob Broadhead:** But in terms of access, everything has been, if anything, better than usual.

In terms of commercial, so less strata, that's started becoming more difficult because so many people are working from home and there's no one there to let you in.

**Amanda Farmer:** Yes. Interesting. I didn't think of it until it was raised by this particular member, the question, but I can see the fallout from that, particularly from the commercial perspective, that they just will not be able to meet these deadlines, and whether local councils who receive these AFSSs will be sensitive to that and not issuing fines for late lodgement.

**Rob Broadhead:** The word from the councils is that they have been given no instruction that there's any leniency or otherwise on any fire safety statements.

**Amanda Farmer:** That's kind of them to tell you that, isn't it?

**Rob Broadhead:** That's hearsay, but that's what we've heard from those that we've spoken to. Because they're really governed by the environmental planning assessment regulation, and so they've been given nothing by the state government saying there's any change to the leniency or what can be accepted, or otherwise. So challenging for everybody, in that we're all trying to lockdown a bit, but you still need to access these to make sure the AFSS is correct.

**Amanda Farmer:** Yes. So much to think about when it comes to the urgent legislative amendments that we need to deal with these kinds of issues. There'll be so many more that we haven't even thought of. We're certainly thinking about them, as you've probably been hearing and reading in the strata sector, things that we need help with and aspects of our legislation that need to change. But, as you say, there are other pieces of legislation that touch our strata schemes, including the Environmental Planning and Assessment Act. So, yes, the list is getting longer.

**Rob Broadhead:** It sure is.

**Amanda Farmer:** Hopefully we get there eventually. Okay. Something I do want to ask you about, Rob, is the proposed new fire safety standard for short-term rental accommodation. Now I'm not sure if you've had a chance to have a look at this but we have some legislation in the works that hasn't commenced yet and, as far as I'm aware, at the time we're recording this, it doesn't have a commencement date. But there is going to be a new state environmental planning policy for short-term rental accommodation that introduces a fire safety standard that must be complied with by apartment lots that are used for short-term rentals, so less than 3 months stays.

I have had a look at this standard because we're thinking that it may commence soon. On my reading of it, the requirements in this standard are quite onerous. I've been talking to some buildings, strata managers, committee members, who are trying to find a way to effectively deal with short-term letting in their buildings when it becomes a problem, and they've had a look at the fire safety standard and said, "Amanda, if lots are not meeting this standard, is it the case that they can be prevented from short-term letting?" I've said, "Yes." As I read it, they will be in breach of the state environmental planning policy, which is made under the environmental planning and assessment regulation, and as I understand it, the local council can then get involved.

But the standard itself, are you aware of it, Rob? Have you had a look at what's needed to be installed, from a fire safety perspective, in a lot, in an apartment lot, if it's being used for short-term accommodation?

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**Rob Broadhead:** I have read it all the way through and it certainly does seem reasonably onerous for the lot owners to have to do that. However, the key to this is that a short-term rental is a different classification of building to an apartment. So it's effectively the same as a hostel, a hotel, a backpackers, where you can expect the people there don't know their way around the apartment and don't know their way around the building. So if you were to build a hostel tomorrow, it has a lot more fire protection equipment and life safety systems than an apartment, to ensure you can get out safely. So in terms of this, it is quite onerous but understandably so.

**Amanda Farmer:** Yes. Just to fill in our listeners, it includes things like smoke alarms in each bedroom, smoke alarms in each corridor or hallway that is between bedrooms or the rest of the building, a system of evacuation lighting in corridors, a fire extinguisher in the kitchen, a fire blanket in the kitchen, an evacuation diagram. So many of our listeners will be hearing this list and say, "There's short-term letting in our building. There's no way that the lots have these systems installed." Indeed, these are onerous requirements for, as you say, understandable reasons, these are not properties that the residents that are staying there are with familiar with, but I'd be very interested to hear from your sector, from the fire services sector, about your opinion on this because I'm not sure that it's been well-publicised. Are you guys talking about this in your circles?

**Rob Broadhead:** No, we're not. No, we haven't had any conversations about it as yet. The state manager of our industry association knew nothing about it-

**Amanda Farmer:** Wow.

**Rob Broadhead:** ... and I've not heard anything of it either. So it's interesting.

**Amanda Farmer:** Okay. Because I have so many buildings and owners come to me looking for creative, let's call it, ways to tackle this problem, especially when our strata legislation doesn't look like it's going to deal effectively with tenants who are subletting. We can prevent investor owners from short-term letting directly but not tenants who are then subletting, which is a big deal.

So I predict a new category, if you like, Rob, of work for you around this area, going in and inspecting and assessing these lots against this new standard, and assisting owners perhaps to bring it up to standard and owners corporations to deal with lots that don't comply.

**Rob Broadhead:** Yes. It's certainly interesting in terms of the ownership of some of those items in there as well because they are attached to the building systems and things that would effectively be owned by the strata plan, whether that be the power supplies inside the unit, the walls that they're connected through, et cetera, et cetera.

**Amanda Farmer:** For sure, yes. There is a requirement there, as I read it, that the smoke alarms be connected to mains power which must be another one of those more commercial requirement than what we might usually have in our long-term residential.

**Rob Broadhead:** Reasonably common these days, for a new building. They would all be mains powered.

**Amanda Farmer:** Yes. Fair enough. Well, thank you, Rob. Insightful as always. Is there anything that you want to add before we wrap up?

**Rob Broadhead:** In terms of this new annual fire safety statement regime and the need for accredited competent fire safety practitioners, the real benefit, I suppose, to owners and strata is the transfer of responsibility and risk from the strata manager, or the agent who has been signing up the documents up until now in a lot of cases, to a properly insured and properly accredited professional who's going to do this. So you're really passing the responsibility and risk, to some degree, to these professionals. So I think it's a really great thing for strata and for owners.

**Amanda Farmer:** Yes. Because you said earlier, until now it's really just been up to the strata manager, or the strata committee if the manager is seeking those instructions, to choose a fire safety professional to do the work.

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**Amanda Farmer:** Yes, there's always been the requirement that that person be a competent fire safety practitioner but there's been no way of assessing that, of measuring that, and no place to find that person. So now that you have that place, you've got the register, which we'll link to in the notes for the episode, I agree, that is absolutely the place that strata managers should be going, committees should be directed to go, and choose somebody who is on that register, and you do legally best protect yourselves that way.

**Rob Broadhead:** Yes. I'm trying to put together a one page checklist for Strata Communities Australia at the moment, so that they can distribute that to strata managers and owners, to know where to look and know what to tick off.

**Amanda Farmer:** Excellent. Really good to hear. All right. Well, thank you, Rob. As we've said a couple of times, we're recording this at a time where the world is an unusual place to be. I don't think it will ever be the same again, but there will be an other side, and who knows when we're going to get there, but I'll hope to see you then.

**Rob Broadhead:** Look forward to seeing you in person on the other side.

**Amanda Farmer:** Exactly.

**Rob Broadhead:** Thanks, Amanda.

**Amanda Farmer:** Thanks, Rob.

**Outro:** Thank you for listening to Your Strata Property, the podcast which consistently delivers to property owners reliable and accurate information about their strata property. You can access all the information below this episode via the show notes at [www.yourstrataproperty.com.au](http://www.yourstrataproperty.com.au). You can also ask questions in the comments section which Amanda will answer in her upcoming episodes. How can Amanda help you today?