



Falls Creek Resort Management ABN 21 789 770 569
1 Slalom Street, Falls Creek VIC 3699 PO Box 50, Falls Creek VIC 3699

Telephone 03 5758 1200 fcrm@fallscreek.com.au
www.fallscreek.com.au

To: All Falls Creek Resort Stakeholders
Essential Safety Measures - How and Why to Maintain Your Compliance.

Dear Stakeholder,

We have received a number of queries from owners at Falls Creek around what Essential Safety Measures (ESMs) are, and why they're important. This correspondence is provided to address these questions, and to assist you with complying with your legal obligations as a property owner at Falls Creek. It is very important that you read this carefully, and if you have any questions, please do not hesitate to contact us.

What ESM's Are

ESM Stands for *Essential Safety Measure*. These are the installations and features incorporated into your building in order to keep its occupants safe, particularly in the event of an emergency. Because ESM's are so important for keeping yourself and your customers safe, there are reporting requirements for most classes of premises.

ESMs are established by the *Building Act (Vic) 1993* and the *Building Regulations (Vic) 2018* and are generally outlined in your building's Occupancy Permit, along with our triennial Building Standards Reports.

Why ESM's Are Important

ESMs keep yourself and your customers safe in the event of an emergency. They also ensure that the appropriate tools are in place to deal with small fires within your premises, which may prevent a minor emergency developing into a serious one.

In addition to this, being able to demonstrate ESM compliance in the event of an emergency may be crucial in addressing any questions of civil liability and insurance claims that may arise subsequently. Insurers have historically denied claims where compliance cannot be demonstrated. In addition to these risks, compliance with all applicable legislation is a condition of every Lease at Falls Creek. Providing your ESMs to us demonstrates compliance, and also ensures that a record is kept of that compliance in the event that your records are destroyed or lost.

ESM Reporting - What you need to do to meet the requirements

If your building has ESM reporting requirements, you can find them stated in the appendix to your premises' Building Standards Report. If you do not have this on hand, we can provide you with an electronic copy.

The frequency of testing and items that require testing will depend on the class of your building. You must meet the frequency requirements to be compliant with the legislation.

The frequency an ESM is required to be tested is outlined in the Building Code of Australia (BCA). It varies considerably between different ESM's.

- For example, fire hose reels, extinguishers and exit signs all **require 6 monthly testing**; and
- smoke detection and alarms systems **need to be on a monthly testing regime**.

An annual report using the template attached is required to be prepared and submitted to Falls Creek Alpine Resort Management Board (FCARMB) annually. This is a requirement arising from the *Building Act and Regulations*.

If we have identified issues with the maintenance or currency of your ESMs, we will also highlight these in your Building Standards Report.

How do I fill in the Annual ESM Report?

While the specific items will vary from report to report, the following items are the most common ESMs that are subject to regular testing requirements. Some ESM's are simple to examine and test and may be done by yourself, whereas others will require testing by a qualified person.

Typical ESM's that you will generally require a contractor to test:

- fire hose reels;
- portable fire extinguishers and fire blankets;
- illuminated exit signs and emergency lighting; and,
- smoke detection and alarm systems.

We recommend that these ESMs are serviced & tested by qualified contractors as their maintenance and testing requirements are set out in Australian Standards which must be followed. In the event of an insurance or liability claim against your property, compliance with these Standards may be relevant.

Other ESM's that are most likely in your building:

- exit doors (and their hardware);
- paths of travel to exit & exit doors in alpine areas;
- fire orders, evacuation plans, and signs on doors noting they open against the path of egress (inwards).

These ESM's may be maintained and tested "in house", with the results of testing recorded in a simple log book.

Changes to the *Building Act and Regulations*

Changes to the *Building Act & Regulations* have resulted in the template for ESM annual reporting being updated. This new template must be used for your annual reporting. ESM requirements are now outlined at Subdivision 4 of the *Regulations*.

Consequences for Non-Compliance

There are considerable penalties able to be imposed by authorities for not complying with the ESM maintenance obligations and this is aside from civil prosecution in the event of injury, loss of life or property damage. Insurers have also historically, declined claims if it is established testing in accordance with the legislation was not being undertaken.

The FCARMB, in conjunction with the Country Fire Authority (CFA), is always available to assist with ESM compliance obligations and advice.

Resources, Templates, and Examples

We maintain a webpage with information to assist you in meeting your ESM reporting requirements at:

<https://corporate.falls creek.com.au/fire-safety>

Further information can be found:

- <https://www.cfa.vic.gov.au/information-for-owners-and-owner-s-corporations>
- <https://www.vba.vic.gov.au/consumers/essential-safety-measures>

The new ESM Template is located at vba.vic.gov.au on this page, titled '[Annual Safety Measures Report Regulation 224](#)'.

In addition to this, if you have any questions regarding your obligations and how to comply with them, please do not hesitate to contact:

- FCRM on (03) 57581200
- FCARMB Municipal Building Surveyor (MBS) Phil Davern on (03) 5755 1589 or 0428797273
- CFA District 24 Fire Safety Officers Mark Williams and David Parker on (02) 6043 4400