

## Building Practice Note ESM-07: Chief officer to be informed of fire sprinkler system performance solution

This Practice Note provides guidance on the requirement to provide details to the chief officer of a fire sprinkler performance solution.

The content below provides guidance on:

- Sending of details to the chief officer
- Consultation with the chief officer before issue of building permit
- Determinations of the Building Appeals Board

### Abbreviations & Definitions

The definitions and acronyms set out below are for guidance only. They are not intended to vary those set out in the Building Act 1993 (Act), Building Regulations 2018 (Regulations) or the National Construction Code (NCC).

- **Act** – Building Act 1993
- **BAB** – Building Appeals Board
- **BCA** – Building Code of Australia
- **Chief officer** – Fire Rescue Victoria or Country Fire Authority
- **RBS** – Relevant Building Surveyor
- **Regulations** – Building Regulations 2018

### Building surveyor must send details to the chief officer

Fire brigades rely on the fire safety systems installed in buildings when responding to a fire. Unless given information about a performance solution, fire brigades assume that buildings have been constructed in accordance with the deemed-to-satisfy provisions of the BCA.

Regulation 129(3) requires that when a building permit is issued, the RBS must forward details of the installation of a fire sprinkler to the chief officer where the installation does not meet the deemed-to-satisfy provisions of the BCA.

Regulation 129(3) does not specify a time for forwarding details to the chief officer. However, details should be provided within a reasonable time. Seven days is considered to be a reasonable time, as that is the time allowed to provide council with building permit documents under section 30 of the Act.

Details given to the chief officer should include the documented performance solution submitted to the RBS as part of the building permit application and the written record of determination of the RBS under regulation 38.

To enable the chief officer to understand the impact on firefighting operations of the decision not to comply with the deemed-to-satisfy provisions for fire sprinkler systems, the chief officer will need to be given sufficient information to understand the broader design for fire safety systems approved by the RBS. Therefore, details given by the RBS should include an explanation of how the design of the fire sprinkler system interacts with other fire safety systems and features in the building.

## Consultation with the chief officer before issue of building permit

Although the requirement in regulation 129(3) arises when the building permit is issued, consultation with the chief officer early in the design of performance solutions for fire safety matters is expected.

The International Fire Engineering Guidelines (Edition 2005) are endorsed by the fire safety industry and published by the Australian Building Codes Board. They contain best practice for the development of fire engineering design and include an obligation to engage with the fire services as part of the design process. Building practitioners are expected to follow these guidelines.

Examples of departures from the deemed-to-satisfy provisions for fire sprinkler systems that should be subject to early consultation with the chief officer include:

- Sprinkler system design for hazard classes of occupancy
- The type of sprinkler system proposed in relation to the building location or building use
- The proposal not to have a direct alarm connection to the fire service or other monitoring service
- Variations to water pressure or water flow requirements for a sprinkler system
- Connections to a portable or industrial water supply that may reduce the reliability of the sprinkler system
- Any potential reduction in stored water capacity for use by the sprinkler system
- The proposed use of dry pipe systems; and
- The proposed omission of sprinklers from all or part of a building, e.g., under an external canopy.

## Determinations of the Building Appeals Board

In instances where the deemed-to-satisfy provisions are not met and a performance solution is proposed, an application can be made to the BAB for a modification of the Regulations (section 160) or for a determination that a proposed design complies with the Regulations (section 160A).

Where a building permit is issued based on a determination of the BAB under section 160 to modify the deemed-to-satisfy provisions and the result is to approve an installation of a fire sprinkler system that would not otherwise have complied with the deemed-to-satisfy provisions, the requirement in regulation 129(3) will not apply.

If the BAB determines that the proposed design meets the performance requirements of the BCA, but it does not meet the deemed-to-satisfy provisions for the installation of a fire sprinkler system, regulation 129(3) will still apply. In relation to fire safety matters, the BAB usually consult with the chief officer before making a determination under section 160 or 160A and must consult the chief officer if the chief officer would be a reporting authority. Therefore, the chief officer would usually be informed of the determination of the BAB as part of a BAB proceeding.

## Related Documentation

- Building Act 1993
- Building Regulations 2019
- International Fire Engineering Guidelines (2005 Edition)

## Version History

- Version 2.0, published 28 June 2021, supersedes Practice Note 59: Chief officer to be informed of fire sprinkler system performance solution

## Contact Us

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