
Discussion paper: Involvement of fire authorities in building design - A Response to the Building Confidence Report

Overview

The **Building Confidence Report** <https://www.industry.gov.au/sites/default/files/July%202018/document/pdf/building_ministers_forum_expert_assessment_-_building_confidence.pdf> (BCR), published in 2018, identified issues with the regulatory oversight of the construction of Class 2 - 9 buildings in Australia. It noted that fire authorities lack confidence that buildings will comply with the minimum fire safety requirements of the National Construction Code (NCC).

Recommendation 8 of the BCR is: *That, consistent with the International Fire Engineering Guidelines, each jurisdiction requires developers, architects, builders, engineers and building surveyors to engage with fire authorities as part of the design process.*

The BCR identified that the triggers for fire authority involvement and their resourcing by governments differ across jurisdictions, resulting in similar buildings in different jurisdictions having different requirements imposed by fire authorities. It noted that at a minimum, fire authorities should provide comment on Performance Solutions impacting fire brigade intervention, however fire authorities may sometimes want to consider, and object to, broader aspects of a building's fire engineering design.

In response to this recommendation, the BCR Implementation Team (the Team) developed this discussion paper, which seeks your views on the issue of fire authority involvement in building design. It proposes:

- a Code of Conduct for Fire Safety Engineers, and
- model guidance for states and territories on the minimum involvement of fire authorities in the building design process.

You can access the discussion paper below or download a copy at the bottom of this page.



Involvement of fire authorities

Why we are consulting

The involvement of fire authorities in building design impacts building users and building designers significantly. Stakeholders have advised that the inconsistency between jurisdictional requirements for fire authority involvement increases project risk and can cause delays and extra costs. Broad feedback is essential to considering a nationally consistent model.

Your feedback is also important to determining the content of a Code of Conduct for Fire Safety Engineers. This was specified in the BCR. In the same way as the **National Model Code for Building Surveyors** <<https://www.abcb.gov.au/Resources/Publications/Corporate/National-Model-Code-of-Conduct-for-Building-Surveyors>> , a National Model Code of Conduct for Fire Safety Engineers (a Code) would outline the standard of professional conduct the practitioners must meet. As such it will boost competence and build trust and public confidence in the profession. It will also educate other practitioners about the role of the fire safety engineer and can be used to promote and define the role of the fire safety engineer.

Feedback received via the consultation survey will be used to shape the content of the Code of Conduct for Fire Safety Engineers and the model guidance to states and territories on greater consistency in the involvement of fire authorities in building design.

Providing comment

Comments are invited until **11:59 PM AEST Wednesday 7 July 2021**. Only comments submitted using the online form will be considered.

A preview of the consultation form is provided below.

If you have a question about this consultation, please contact

BCRImplementationTeam@abcb.gov.au.

Information Collection

Information about saving your answers for later

Save and come back later

The "save and come back later" button gives you the option to save your work. Enter your email address to receive an email with a link to return to your survey response before the closing date.

Important: Please ensure that you have read and understood the below statements before proceeding

Privacy Collection Statement

The Australian Building Codes Board (ABCB) is bound by the Australian Privacy Principles (APPs) outlined in Schedule 1 of the *Privacy Act 1988* (Cth) (Privacy Act), which regulates how entities may collect, use, disclose and store personal information.

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- the Department of Industry, Science, Energy and Resources or the ABCB Office, and the staff of the Department and the ABCB Office;
- the ABCB, its committees and any working groups established by the ABCB, and their staff and advisors;
- the Commonwealth Government, and State and Territory Ministers responsible for building regulation and policy, and their staff and advisors;
- other Commonwealth or State and Territory government departments and agencies;
- any consultant or contractor engaged by the ABCB for the purpose of undertaking work in respect of the subject matter of the submission process.
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Australian Building Codes Board
GPO Box 2013
Canberra ACT 2601

Confidential Information Statement

All submissions and comments will be published unless they are marked 'commercial-in-confidence'. However, any contact details you provide within your submission will be redacted prior to the submission being published.

In order to promote debate and transparency, the ABCB prefers that all submissions and comments be provided in a way that does not require confidentiality to be maintained. However, it recognises that in some circumstances you may want to provide information in confidence.

It is the responsibility of the person making the submission to ensure that any 'commercial-in-confidence' information is clearly identified. Please consider if you can structure your response to keep only some parts confidential. If only part of your submission is confidential, you can provide the confidential part as a separate submission so that the ABCB can publish the non-confidential part of the submission.

Where confidentiality is requested for an entire submission, it will not be published by the ABCB, nor will your name or organisation details; however, see the comments below regarding Regulation Impact Statements.

Please note that we may still disclose the confidential part of your submission to any of the above identified users of the information as part of the consultation process and we will use reasonable efforts to ensure that the recipients keep the submission confidential.

Submissions for Regulation Impact Statements will be made public in accordance with the Council of Australian Government's **Best Practice Regulation: A Guide for Ministerial Councils and National Standard Setting Bodies** <<https://www.pmc.gov.au/resource-centre/regulation/best-practice-regulation-guide-ministerial-councils-and-national-standard-setting-bodies>> . A summary of the views expressed in the submissions will be published as part of the Regulation Impact Statement.

The ABCB or the ABCB Office may also disclose confidential information in circumstances where:

- we are required or authorised by law disclose it;
- you agree to the information being disclosed; or
- someone other than you has made the confidential information public.

Your submission, comments, opinions and responses will not be published if the ABCB or the ABCB Office considers that your submission, comments, opinions and responses may contain potentially defamatory statements or other offensive comments.

By making a submission to this consultation you agree to the collection of the information you provide in your submission; and the use and disclosure of the information you provide in your submission as outlined above.

(Required)

Please select only one item

Publish response



Publish response anonymously (this will remove personal identifiers including, name and organisation)

Do not publish

Personal information

What is your name?

Name

What is your email address?

If you enter your email address then you will automatically receive an acknowledgement email when you submit your response.

Email

On whose behalf are you making this submission?

Please select only one item

I am making this submission on my own behalf

I am making this submission on behalf of a business

I am making this submission on behalf of an industry body

I am making this submission on behalf of a government agency

What is your organisation?

Organisation

Which best describes your industry sector?

Please select only one item

- Building Commercial Building Residential
- Building Commercial and Residential Building and plumbing products
- Building Certification/ Surveying Architecture and design Engineering
- Plumbing Compliance, testing and accreditation Legal and Finance
- Specialist - disability access Specialist - energy efficiency
- Specialist - fire safety Specialist - health Specialist - hydraulic/ plumbing
- Student/ apprentices Trades and other construction services Education
- Community and Non-Government organisations Government General Public
- Other

Please select your State or Territory

Please select only one item

- ACT NSW NT Qld SA Tas Vic WA

Questions about a Code of Conduct for Fire Safety Engineers

1. Do you agree with the proposed benefits of a Code of Conduct for Fire Safety Engineers?

Please select only one item

- Yes No Unsure

Why?

2. Are there drawbacks to implementing a Code of Conduct for Fire Safety Engineers?

Please select only one item

Yes No Unsure

What are they and how can they be mitigated?

3. Do you agree with the proposed scope of the Code?

Please select only one item

Yes No Unsure

If you do not agree with the proposed scope, what improvements would you suggest?

Questions about model guidance – fire authority role and triggers

4. Are there benefits to a nationally consistent role for fire authorities?

Please select only one item

Yes No Unsure

If so, what are they?

What has the impact of lack of national consistency been on you and your work, if any?

5. How would you suggest improving the following proposed definition of the fire authority role?

“During the building design process, the role of fire authorities could be defined as to provide advice on the development of Performance Solutions impacting the intervention of fire authorities at a building.”

6. Do you believe the triggers for the involvement of fire authorities should be consistent across jurisdictions?

Please select only one item

Yes No Unsure

Why?

Do you consider any of the jurisdictional models to be exemplary? If so, which jurisdiction?

7. What are the benefits of NCC clause-related triggers?

8. What are the drawbacks of NCC clause-related triggers?

If you agree with NCC clause-related triggers, do you agree with the list below, which was provided by the National Council for Fire and Emergency Services (AFAC)?

	Agree	Unsure	Disagree
CP1 Structural stability during a fire <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
CP2 Spread of fire <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
CP3 Spread of fire and smoke in health and residential care buildings <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
CP4 Safe conditions for evacuation <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
CP5 Behaviour of concrete external walls in a fire <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
CP6 Fire protection of service equipment <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
CP7 Fire protection of emergency equipment <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
CP8 Fire protection of openings and penetrations <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	Agree	Unsure	Disagree
CP9 Fire brigade access <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
DP4 Exits <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
DP5 Fire-isolated exits <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
DP6 Paths of travel to exits <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
DP7 Evacuation lifts <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
EP1.3 Fire hydrants <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
EP1.4 Automatic fire suppression systems <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
EP1.5 Fire-fighting services in buildings under construction <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
EP1.6 Fire control centres <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
EP2.1 Automatic warning for sleeping occupants <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
EP2.2 Safe evacuation routes <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	Agree	Unsure	Disagree
EP3.1 Stretcher facilities <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
EP3.2 Emergency lifts <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
EP4.1 Visibility in an emergency <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
EP4.3 Emergency warning and intercom systems <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
P2.7.5 Buildings in bushfire prone areas <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
P2.7.6 Private bushfire shelters <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
GP5.1 Bushfire resistance <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please provide your reasoning where you disagree.

9. Do you believe any NCC clauses related to fire safety Performance Requirements are overlooked in the above list? If so, what are they?

10. An alternative to an NCC clause-related trigger model is a risk-based model? What are the benefits of a risk-based model?

11. What are the drawbacks of a risk-based model?

If you agree with a risk-based model, do you agree with using the definition of building complexity at Appendix F of the discussion paper?

Questions about model guidance – early advice

12. Do you agree there is a need for fire authorities to provide guidance at the conceptual stage of building design?

Please select only one item

Yes No Unsure

Why?

If you agree with fire authorities providing guidance at the conceptual stage of building design, should this requirement be set out in legislation, occur at the request of the building designers or through another trigger?

Please select only one item

Legislation At the request of the building designers Other trigger

If other, please specify.

Why?

13. Do you believe fire authorities should be advice authorities or consent authorities?

Some fire authorities have the ability to prevent the issue of approvals, and are referred to as 'consent authorities', however most fire authorities are 'advice authorities' because they only provide advice which is non-mandatory (refer Appendix E of the discussion paper).

Please select only one item

Advice Consent Unsure

Why?

Questions about model guidance – education and experience

14. Do you agree that fire safety experts who assess applications on behalf of fire authorities should be similarly educated, competent and experienced as fire safety engineers?

Please select only one item

Yes No Unsure

Why?

Questions about model guidance – advice to industry

15. Should fire authorities provide guidance on their websites on any additional matters to help building designers meet the needs of fire authorities?

Please select only one item

Yes No Unsure

If yes, what should the advice cover as a minimum?

Do you consider any of the jurisdictional models to be exemplary? If so, which jurisdiction?

16. Please provide any other comments you have about the involvement of fire authorities in building design processes and the issues covered in the discussion paper.