

10 May 2024

Building Commission NSW
Department of Customer Service

Via Email: HBAReview@customerservice.nsw.gov.au

RE: Fire safety reforms discussion papers 2 and 3

We thank Building Commission NSW for the opportunity to provide feedback to Discussion Paper 2 *Installation and commissioning of fire safety systems* and Discussion Paper 3, *Certification, ongoing testing and maintenance of fire safety systems*.

The Property Council has been actively engaged in the building reform work underway in NSW, and provided feedback to Discussion Paper 1, Regulation of fire safety systems (Design) and participated in the stakeholder roundtable discussions. We commend the NSW Government and Building Commission NSW on their achievements to date in progressing reforms to ensure the integrity of the industry and quality of the built product.

As Australia's peak representative of the property and construction industry, which employs more Australians than any other sector, the Property Council's members include investors, owners, managers and developers of property across all asset classes across NSW. The property industry shapes the future of our cities and has a deep long-term interest in seeing them prosper as productive, sustainable, and safe places.

We are pleased to work with our members to provide the response to the discussion questions below. Once again, we thank the Department for the opportunity to provide feedback to this discussion paper and look forward to participating in further consultation for the drafting of the *Building Bill 2024*.

If you have any questions about this submission, please contact NSW Deputy Executive Director, Anita Hugo, ahugo@propertycouncil.com.au.

Kind regards,



Anita Hugo
NSW Deputy Executive Director
Property Council of Australia

Questions for discussion

Discussion Paper 2 - Installation and Commissioning of Fire Safety Systems

Q1. Do you support this Option, that only holders of a prescribed plumbing base licence plus a fire safety endorsement can carry out water-based fire safety systems installation work? Why/why not?

A: The Property Council does not see benefit in this option and does not support.

We agree that practitioners must have a thorough understanding of how the systems operate and are competent to carry out compliant installation. However, a wet fire installer does not necessarily interact with all plumbing systems such as gasfitting. The proposed option will discourage specialisation for practitioners who wish to only undertake work on wet fire system(s).

Q2. If yes, should the endorsement cover all water-based fire safety systems, or should it be split into categories of fire safety systems based on complexity or other criteria?

A: If this option is selected, the endorsement on the license should be split into categories. A suggestion may be to split each category further based on the complexity of the building, such as industrial projects (i.e. data centre, high hazard systems) and high rise (>25m) buildings where fire systems are integrated with dry fire, pre-action, mechanical systems etc.

Q3. What skills would need to be taught through core units of competency under this Option and why?

A: Suggest the following:

- Sprinkler design skills, particularly in relation to spacing / distancing between sprinkler heads, to walls, to other obstructions, as well as design of concealed space sprinklers.
- Selected hydrant and fire hose reels design skills, particularly in relation to spacing / distancing / coverage / clearances etc.
- All currently practiced methods of installation (welding, roll groove connections, crimp, flange connections etc).
- Test and commissioning skills (as wet fire safety systems have different installation methodologies to general plumbing pressure systems).
- Associated hazards and risks.
- Overall, a fundamental understanding of Fire Brigade requirements and how they operate and basic understanding of FER performance solutions.

Q4. Is this Option likely to uplift standards of compliance on water-based fire safety systems installations? Please explain your answer.

A: The Property Council cautions that adopting this option will result in a proportional increase in cost and standards, due to the additional licensing requirements and reduction of the quantity of available trades for all projects.

Q5. Do you believe the current licensing framework for water-based fire safety installations is fit for purpose? Or does it need to change?

Yes, the Property Council believes the current licencing framework is fit for purpose, although some improvement may be required as outlined in the discussion paper (i.e. clarification that licence holders of Fire Safety Plumbing are not allowed to work on other plumbing systems such as water supply, gas etc.). We suggest taking a risk adjusted approach, reviewing additional licensing requirements for complex projects and systems only.

Q6. Have you seen evidence of defective water-based fire safety systems installed in a building? In your experience, how prevalent is this issue?

A: No comment.

Q7. If you have seen evidence of these defects, please describe examples. From your perspective, do you consider that the defects were likely caused by the plumber or restricted water plumbing – fire protection or fire sprinklers licence holders or another surrounding passive installations or poor fire stopping measures? installer/designer? Or were defects attributable to surrounding passive installations or poor fire stopping measures?

A: No comment.

Q8. What parts of a water based fire safety system should be considered the fire safety system (and need to be carried out by a fire safety practitioner) compared to what parts are the water supply system (to be regulated separately to fire safety)?

A:

- Water based fire safety systems:
 - Fire hose reels
 - Hydrants
 - Sprinklers
 - Drenchers.
- Non-fire safety systems:
 - Potable
 - Non potable
 - Hot and cold water
 - Gas
 - Sewer
 - Trade waste
 - Stormwater systems.

Q9. Please provide any suggestions you have for the future licensing of water based fire safety systems, including any options not set out in this paper.

A: No comment

Q10. Do you support licensing ELV work on fire safety systems? Why/ why not?

A: Yes, the Property Council supports licencing ELV work on fire safety systems as it should establish a competency framework for installing critical fire safety systems.

Q11. If you support licensing, which option do you support for licensing work done on ELV fire safety systems?

A: Option 2.

Q12. Which option for licensing people working on electrical fire safety systems do you support? Why/Why not

A: Option 1.

Q13. Should any other options in relation to a licensing endorsement for electrical fire safety work be considered?

A: Yes. We suggest a standalone license for all safety essential services.

Q14. Do you support the proposal that all disconnection and reconnection work for all fire safety systems must be undertaken only by a licensed electrician or the holder of a disconnect/reconnect licence? Why/why not?

A: Yes, the Property Council supports this proposal. All disconnection (de-energisation) and reconnection (energisation) work for fire safety systems must be undertaken only by a holder of an electrical licence because of the safety risks associated with voltage above LV.

Q15. Do any specific considerations relating to fire safety need to be taken when defining the scope of work for the mechanical services licence categories?

A: We suggest Installing ELV fire safety systems should be a separate and standalone licence, which should be obtained even if a practitioner is already a licenced mechanical trade.

Q16. Should a fire safety endorsement approach, as proposed for other specialist licence categories be considered for mechanical services?

A: As above.

Q17. Do you have any additional feedback or concerns with respect to mechanical services licensing in the context of fire safety?

A: No comment.

Q18. Which option for licensing installation work for passive fire safety systems do you support? Why/why not?

A: The Property Council supports option 1.

This will require the existing trades responsible for installing fire safety systems to undertake further training such that their licences are endorsed. There are hundreds of fire stopping systems for various applications, FRL requirements, services and materials of construction, it would be unreasonable to expect the builder to know all of the details of installation of every single instance.

Contrary, it should be enforced that the installer of relevant fire systems to their trade knows exactly what they are doing and are able to perform the installation in accordance to NCC and the relevant fire test report. Each trade should be responsible for their own passive fire systems because of how different each system is and how many details of installation there are. There is no such thing as a fire damper which is not part of a mechanical system – all fire dampers are part of the mechanical system and should be installed by a qualified mechanical trade.

Q19. For option 3, should the responsibilities for the installation of fire safety systems be expanded to all builders, regardless of levels? Why/why not?

A: Yes. We support the additional layer of independent testing and verification of systems once installation is completed. This reduces the risk of unintended damage caused by different trades.

Q20. Are there any other options that should be considered?

A: No comment.

Q21. Who should be responsible for providing fire stopping through the building process?

A: Licensed passive fire safety installer.

Q22. Should the responsibility for providing fire stopping be imposed on one licence holder or can it be a shared responsibility amongst multiple licence classes?

A: No comment.

Q23. Should a specialist passive fire safety installer be responsible for coordinating and overseeing the work?

A: Suggest yes, in accordance with their contract with the builder.

Q24. Should the builder be responsible for coordinating and overseeing the work?

A: Yes, via engaging a specialist passive fire system installer.

Q25. Should the scope of information collected by installation compliance certificates such as CCEWs or plumbing CoCs be expanded to include additional requirements for fire safety systems?

A: We suggest yes, either by expanding the certificates like CCEW or by enforcing a separate passive fire installation certificate.

Q26. What fire safety systems should have certificates of compliance? How should a certifier use these certificates?

A: All.

Active systems, such as sprinklers, detectors, alarms, strobes, speakers, door hold devices, fire trips, fire dampers, hydrants, fire hose reels, booster assembly, fire extinguishers etc.

Passive systems, such as structural elements, fire doors, fire walls, treatment of services penetrations etc.

Q27. Do you support introducing commissioning requirements for the fire safety systems identified in this section? Why/Why not?

A: Yes.

Q28. Should any additional fire safety systems be considered under the proposal to introduce mandatory commissioning requirements?

A: All active and passive fire safety systems.

Q29. Do you support the introduction of integrated commissioning of fire safety systems? If yes, which option do you prefer and why?

A: Yes, we suggest option 2. It is difficult to expect a single practitioner to know the technical details of all the systems. This option adds a level of assurance if all individual commissioning practitioners work together and are cross checking the integration of interdependent systems.

Q30. Are there any additional factors that should be considered for integrated commissioning?

A: No comment

Q31. Are there any other ways of defining integrated commissioning?

A: No comment

Q32. Do you support the proposal for separate interface testing and commissioning of control and indicating equipment?

A: Yes.

Q33. Which option do you prefer when considering who should be responsible for integrated commissioning of the fire safety system of a building?

A: Option 4. We support the additional layer of independent testing and verification of systems for the integration commissioning process.

Q34. If a third-party practitioner was selected, what skills, knowledge and/or qualifications would the person need to have?

A: A third-party practitioner is required to have a high level understanding of the principle of building services particularly related to fire safety and mechanical services. In addition, the practitioner is required to fully understand the sequences and integration between services during fire scenario, including cause and effect matrix, and test accordingly.

Q35. Are there any other options that could be considered as responsible for integrated commissioning?

A: No comment.

Discussion Paper 3 – Certification, ongoing testing and maintenance of fire safety systems

Q1. Would the quality of installation of active fire safety systems be improved by mandating certificates of installation compliance by the installer or person responsible for the installation?

A: Yes.

Q2. What active fire safety systems should be subject to this requirement and why?

A: All active fire systems highlighted in the proposed paper. The safety of individuals depends on all fire systems working as per intended design, especially if these systems are interdependent with each other.

Q3. Is there a need to also mandate new certificates of installation compliance (or the like) for passive systems? If so, which passive systems should be subject to this requirement and why?

A: Yes. All passive fire systems highlighted in the proposed paper require certification of installation because safety of individuals depend on all fire safety systems working as per intended design.

Q4. What information pertaining to fire safety system sign off should be included on a certificate of installation compliance? Do you agree that the certificate should address technical compliance to the BCA and standards as well as compliance with the designs? Why/why not?

A: Certificate of installation should include all Information related to the installation of a fire system element, including:

- Date of installation
- Name of installer
- Licence number of installer
- Description of element
- ID number of the fire system (such it can be traced back to a drawing)
- Location of a fire system
- Drawing number
- Reference test report (including the figure number which the element is installed in accordance with).
- All relevant codes, performance solutions, local council requirements and fire brigade requirements.

Q5. Do you agree that a certificate of installation compliance should be provided to the principal certifier before an OC can be issued?

A: Yes.

Q6. Should an additional sign off requirement be included to verify the safety of building products used in a fire safety installation? Why/why not?

A: We do not believe this is necessary due to the other layers of certification.

Q7. Do you support the Fire Safety Schedule being interim at building approval, and finalised before application for an OC? Are there any risks to be considered?

A: Yes, this is supported. This might however result in longer project programs to obtain CC/CDC.

Q8. Does the proposed list of statutory fire safety measures accurately capture all key fire safety measures? If not, what measures should be included/excluded?

A: Yes.

Q9. Do you support the proposal for fire safety engineers to identify key elements of their performance solution reports and identify matters to be included on the Fire Safety Schedule?

A: Yes.

Q10. Do you support using the Fire Safety Schedule as an index outlining those fire safety measures that require individual commissioning? If yes, who do you think should be responsible for identifying this information or should it be prescribed?

A: Yes. The responsibility sits with the Fire Engineer (fire safety engineer) in consultation with building services consultants of all disciplines.

Q11. Do you support using the Fire Safety Schedule as an index identifying those measures that require interface testing or integrated commissioning? If yes, who do you think should be responsible for identifying this information?

A: We do not support.

This information should be identified in the cause and effect matrix. We suggest that as part of D&BP requirements, a fire safety design practitioner, in consultation with the fire engineer and building services design practitioners, should present a cause and effect matrix outlining the intention behind the design of fire safety systems.

Q12. Do you support the introduction of a requirement to include information on key features of performance solutions in the Fire Safety Schedule? Why/why not?

A: We do not support as this information can be referenced in the FER.

Q13. Do you support introducing a requirement for fire practitioners to document testing carried out in assessing fire safety systems for the purposes of a fire safety certificate?

A: Yes.

Q14. What would be the risks and benefits for including these documents in the fire safety certificate?

A: The benefits are for the building owner to have assurance that their building was installed with functional fire safety systems and in line with the design requirements. In future, these records will act as benchmark for future maintenance and testing of fire systems.

Q15. Should there be a requirement for any required certificate of installation compliance for a fire safety system to be provided before a system is assessed for a fire safety certificate to be issued?

A: Yes.

Q16. Do you support a person other than the owner being responsible for issuing the fire safety certificate?

A: Yes, provided they are competent and appropriately qualified.

Q17. If yes, which party should be responsible for issuing the fire safety certificate, the builder, developer or certifier and why?

A: We suggest this should be the responsibility of the certifier as part of the Occupational Certificate application.

Q18. Do you agree that introducing an independent fire practitioner to assess the safety systems for the first AFSS will improve accountability and enhance compliance? Why/why not?

A: No. A qualified fire practitioner is considered competent. Introducing an independent fire practitioner will result in higher cost with little benefit.

Q19. Should the independent assessment of statutory fire measures within the first year be only for residential buildings or extended to other classes? Why or why not?

A: If this applied, Class 2 is considered sufficient.

Q20. Do you support introducing a requirement for a building owner to notify the Regulator before the assessment of fire safety measures for the AFSS is undertaken? Why/ why not?

A: No comment.

Q21. What types of routine maintenance and repair work should be deemed low risk for an Accredited Practitioner (Fire Safety) to be permitted to work on? Please provide details.

A: No comment.

Q22. Do you support specialist licence holders being able to obtain recognition to carry out assessment activities on fire safety systems? If yes, what additional training and qualifications would be required?

A: Yes. Specialised license holders would require a full understanding of all fire safety systems, system integration and overall performance in the event of fire.