

# Application for Report and Consent Pursuant to Building Regulation 129(1)

**Form to be completed in full.  
Incomplete applications will be returned  
to the applicant**

**NOTE:** Fire Rescue Victoria (FRV) strongly recommend that all applicants are thoroughly conversant with their responsibilities under the relevant Regulations before submitting a formal application for the Fire Rescue Commissioner's Report and Consent.

## **PART A**

### **1. APPLICANT'S DETAILS**

Applicant: \_\_\_\_\_ ABN: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Town/Suburb: \_\_\_\_\_ Postcode: \_\_\_\_\_

Phone No: \_\_\_\_\_ Email: \_\_\_\_\_

### **2. BUILDING SURVEYOR'S DETAILS**

Details as above

Name: \_\_\_\_\_ ABN: \_\_\_\_\_

Address: \_\_\_\_\_

Town/Suburb: \_\_\_\_\_ Postcode: \_\_\_\_\_

Phone No: \_\_\_\_\_ Email: \_\_\_\_\_

### **3. ADDRESS OF PREMISES**

Building Name: \_\_\_\_\_

Street No: \_\_\_\_\_ Lot No.: \_\_\_\_\_ Street: \_\_\_\_\_

Town/Suburb: \_\_\_\_\_ Postcode: \_\_\_\_\_

Municipality: \_\_\_\_\_



**4. BUILDING PARTICULARS – to be completed in full** (if incomplete, the application will be refused)

Brief description of project: \_\_\_\_\_

NCC/BCA Building Assessment Year \_\_\_\_\_

Existing  Proposed  Extensions or Alterations  Change of Use

Building Use: \_\_\_\_\_ Class(s) of Building \_\_\_\_\_

Floor Area (m<sup>2</sup>) Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Total \_\_\_\_\_

Type of Construction A  B  C

Rise in Storeys: \_\_\_\_\_ Storeys Contained \_\_\_\_\_ Effective Height: \_\_\_\_\_

Fire Compartment Size (max): Floor Area (m<sup>2</sup>): \_\_\_\_\_ Volume (m<sup>3</sup>): \_\_\_\_\_

Details of Construction: Floors \_\_\_\_\_ Walls \_\_\_\_\_ Roof \_\_\_\_\_

Does the proposed development include the provision of AVPS (automated vehicle parking system)? Yes  No

If the proposed development does include the provision of AVPS or similar will they be sprinkler protected in accordance with FRV Guideline 32 (GL-32). Yes  No

Does the proposed development incorporate an Impulse (Jet) Fan Ventilation system to the Car Park areas? Yes  No

**5. INSTALLED / PROPOSED FIRE SAFETY MEASURES**

List all fire services proposed and/or existing within building: (**must be listed here**)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PART B**

**1. PREVIOUS HISTORY**

Has FRV/MFB/CFA had any involvement with meetings, reviews or reports regarding this building? Yes  No

If yes, please enter the relevant report number/s \_\_\_\_\_

## 2. STREET HYDRANT COVERAGE

Where it is proposed to use a street hydrant(s) for coverage, the Fire Rescue Commissioner requires a letter from the relevant Water Authority or Council, detailing that permission has been granted for the use of the relevant street hydrant(s).

## 3. 129(3) NOTIFICATIONS

Proposed variations to sprinkler systems:- **to be listed here**

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## 4. VARIATIONS

The Fire Rescue Commissioner can report on the following “Deemed to Satisfy” items as listed. Fire safety items that do not meet the provisions of the Building Code of Australia and require a report under Regulation 129(1) for this building are;-

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Fire Mains                           | <input type="checkbox"/> Hydrants                                      | <input type="checkbox"/> Control Valves |
| <input type="checkbox"/> Booster Assemblies                   | <input type="checkbox"/> Emergency Vehicle Access                      |   |
| <input type="checkbox"/> Fire Indicator Panels                | <input type="checkbox"/> Fire Control Centre/Room                      |   |
| <input type="checkbox"/> Fire Precautions During Construction | <input type="checkbox"/> Fire Services Controls in Passenger Lift Cars |   |

**NOTE: Variations sought are to be included on a separate page. A blank template form can be found on the website with the application forms.**

All variations are to be listed and must include NCC Clause, Relevant Australian Standard and Clause and supporting information - As per *example* below:

<b>Variation 1</b>	<b>NCC Clause E1.3</b>	<b>AS 2419.1 – 2005 Clause 3.2.3.2 (b)(i)</b>
<b>To Permit an internal fire hydrant greater than 4m from an exit</b>		

The applicant has indicated that:

- A hydrant is located at the base of the open stair at ground level.
- The hydrant is located 7m from the required exit.
- The building is fully sprinkler protected.
- Refer to highlighted hydrant on drawing B.

## **PART C**

### **1. BUILDING DESIGN**

Is the design of the building, either wholly or partly, the subject of:

- i. a Performance Solution within the meaning of the BCA, (an FEB is required prior to the FER being submitted) Yes  No
- ii. a Regulation 233 or 234 statement of partial compliance by the RBS Yes  No
- iii. a § 160 compliance assessment from the Building Appeals Board? Yes  No

If yes, a copy of these documents must accompany this application.

If this building is the subject of an Performance Solution / FER, please provide the FRV/MFB/CFA Report number from the review of the FEB.

Report No. \_\_\_\_\_

**NOTE:** The International Fire Engineering Guidelines 2005, which AFAC, AIBS and IE Aust have all endorsed, requires the FEB (schematic design phase) to be prepared and accepted by stakeholders before the FER (design development phase) is submitted.

### **2. COMBUSTIBLE FACADE**

Does the proposed development include a provision of combustible façade/lining/attachment to the external wall(s) of the building?  Yes  No

The Fire Rescue Commissioner has the right to consider all matters which may impact on his decision when determining an application made under Regulation 129.

It is incumbent on the applicant to bring to the attention of the Fire Rescue Commissioner, the proposed installation of any Combustible Facade in the building design. In addition the proposed implementation of any such design must be supported by evidence of suitability as detailed in the Building Code of Australia A2.2.

The evidence of suitability is to be provided with this application.

**Notes:** Combustible façade materials include but are not limited to:

- composite aluminium panels
- composite timber products
- polystyrene/foam core panels and
- forest timber products etc.

Where these products and other combustible products are proposed, the Regulation 129 application must include the following information to demonstrate its expected performance when exposed to fire conditions:

- Specific product information and manufacturer/supplier specifications.
- Appropriate evidence of suitability i.e. relevant reaction to fire test results, Certificates of Conformity, BRAC Certification etc.
- Drawings (architectural drawings including plans and elevations detailing the proposed locations).
- Any other information that might reasonably be expected to be provided in a building permit application to demonstrate compliance with the relevant DtS provisions and Performance Requirements of the BCA.

**IMPORTANT NOTE:** The Fire Rescue Commissioner may require that the applicant include evidence to demonstrate that the building permit will include a condition that an inspection is required upon completion or part completion as appropriate of the installation of any cladding. For further technical reference on this matter please refer to the VBA Practice Note 69-2018 available at the following web link.

[http://www.vba.vic.gov.au/\\_data/assets/pdf\\_file/0004/33376/PN-69-2018-Mandatory-notification-stages-and-inspection-of-building-work.pdf](http://www.vba.vic.gov.au/_data/assets/pdf_file/0004/33376/PN-69-2018-Mandatory-notification-stages-and-inspection-of-building-work.pdf)

Also note that relevant inspection reports and associated evidence may be required for submission upon application for the Fire Rescue Commissioner's Consent under Building Regulation 187.

### 3. DANGEROUS GOODS

Is the Building used for manufacture, storage or handling of dangerous goods, you will be subject to the requirements of the Dangerous Goods Act 1985 and the Occupational Health and Safety Act 2004.  Yes  No

The duties and obligations of the respective subordinate legislations being:

- Dangerous Goods (Storage and Handling) Regulations 2012
- Dangerous Goods (Explosives) Regulations 2011 (where appropriate)
- Occupational Health and Safety Regulations 2007

For further information please visit:

<http://www.frv.vic.gov.au/Industry/Workplace/Dangerous-Goods.html>

### 4. DEPARTMENT OF HEALTH & HUMAN SERVICES (DHHS)

Is the Building a Department of Health & Human Services (DHHS) owned, operated, funded or a Director of housing Building?  Yes  No



**DHS Statements of Compliance**

Statement of compliances are required to be provided for a DHS project by Accredited Fire Safety Engineers and Building Surveyors when they are satisfied that all matters contained within the fire risk assessment(s) have justified the performance requirements of the BCA and Guidelines. These must be provided as part of the application for Regulation 309 report and consent.

All buildings or facilities that are, wholly or partly owned, managed or funded by DHS must comply with the DHS Capital Development Guidelines – Series 7. Evidence of DHS endorsement will be required.

Has a Statement of Compliance - Design (CDG 7.2 Form A1.2, Appendix 1) been provided by the accredited Fire Safety Engineer responsible for the fire risk assessment?

Fire Engineering Statement of Compliance                      Yes     No

Has a Statement of Compliance – Alternative Solutions (CDG 7.2 Form A1.1, Appendix 1) been provided by the Accredited Building Surveyor?

Building Surveyor Statement of Compliance                      Yes     No

**NOTE:** FRV reserves the right without prejudice to make enquiries with DHS Fire Management Unit where it believes that any building practitioner has contravened the DHS Capital Development - Series 7 – Fire Risk Management Guidelines 2013.

I consent to the Fire Rescue Commissioner forwarding any documentation or information obtained during the preparation of the Report to other relevant authorities.

**PART D**

**1. BUILDING SURVEYOR’S DECLARATION PURSUANT TO REGULATION 129(1)**

I have not issued a building permit for any work that relates to this application.

Building Surveyor’s Name \_\_\_\_\_

Building Surveyor’s Signature \_\_\_\_\_

RBP No \_\_\_\_\_                      Date: \_\_\_\_\_

**Note:** Where a Building Permit has been issued, the Fire Rescue Commissioner does not have the authority to process the application. In these cases an application should be made with the Building Appeals Board.

**2. APPLICANTS SIGNATURE**

Applicants Name: \_\_\_\_\_

Applicants Signature: \_\_\_\_\_

Date: \_\_\_\_\_

### 3. BILLING DETAILS

**Please note that FRV will not invoice third parties for any Fire Safety related applications. All invoices will be sent to the applicant.**

FRV/MFB/CFA account number if known \_\_\_\_\_

OR

Name/Company: \_\_\_\_\_

Postal Address: \_\_\_\_\_

ABN: \_\_\_\_\_ Email: \_\_\_\_\_

**Note:** Upon completion of the report an invoice will be forwarded to the above. If the applicant fails to provide billing details then the invoice will be addressed to the applicant.

Report fees are calculated on an hourly rate, these rates are government gazetted. Please contact the Fire Safety Department if you require a fee estimation.

Goods and Services Tax (GST) will be the liability of the purchaser. The amount payable will be increased by the applicable amount of GST under legislation current at the time the service is provided. GST will be payable by the purchaser at the same time as other monies are payable under this agreement.

***If you do not receive an email receipt in relation to your application within 24 business hours of lodging, please contact BCA Admin on 96654478.***

#### 4. INFORMATION FOR MAKING AN APPLICATION

**Note:** The following items are required for the Fire Rescue Commissioner to issue a report; incomplete applications will be returned to the applicant.

- Application Form – to be completed in full. – Signed and dated
- List of Variations sought with supportive information.
- Copy of the Building Permit Application (Form 1). – Signed and dated
- Building plans - architectural and fire service drawings, should show:
  - Site plan showing all boundaries, entrances, structures and details of adjoining premises
  - Floor plan of all structures showing all means of egress,
  - Elevations
  - The location of existing and /or proposed fire detection and suppression equipment
  - Hydrant and hose reel shortfalls in **HATCHED SHADING**.
- A list of drawings submitted. Any submitted architectural and fire service drawings must be accompanied by a list that details the drawing numbers, revision and date of each drawing.
- Relevant alternative solution documentation to be submitted with Regulation 129 application.

**NOTE:** A Fire engineering brief (FEB) is required to be reviewed prior to Regulation 129 application as per FRV Guideline 33 (GL33).
- I acknowledge that any issue of a Regulation 129 consent by the Fire Rescue Commissioner is issued relative only to the *\*fire safety design* presented in the documentation at the time of application. Any amendment/change to the *\*fire safety design* subsequent to a Consent issued by the Fire Rescue Commissioner may warrant reconsideration of the existing consent. This may result in many outcomes including but not limited to:
  - No change to the existing consent
  - Amendments to the existing consent
  - Requirement for full application/resubmission of application for the design
  - Cancellation of the existing consent

*\* Fire safety design in this context includes the matters pertaining to the prescribed matters under Regulation 129, proposed fire safety measures, the fire safety system detailed in the applicable version/revision of any fire engineering report submitted in the 129 application, and any other building/occupant characteristic deemed applicable by the Fire Rescue Commissioner.*



- Dangerous Goods - Where the premises stores, handles or packages Dangerous Goods, this information is to be included in the application for consideration.
- If unsure of any required documentation, please contact the email below for direction.

**APPLICATIONS TO BE SUBMITTED TO:**

An updated Fire Rescue Victoria email address will be provided to the industry in due time.

In the interim, until further notice please submit applications to: [BCAdmin@mfb.vic.gov.au](mailto:BCAdmin@mfb.vic.gov.au)