

# Application for Report and Consent Pursuant to the Building Act 1993 and Regulation 187 (1) (a) & (b) of the Building Regulations 2018

## Important items to note;

Only use this application form if you are applying for Regulation 187 report and consent pursuant to Regulation 187(1) (a) or Regulation 187(1)(a) & (b) of the Building regulations 2018.

Do not use this form if you are applying for Regulation 187 report and consent pursuant to Reg 187(1) (b) only. In this case please use the alternative R187(1)(b) application form provided on the FRV website.

Regulation 187 (a) – if the Chief Officer / Fire Rescue Commissioner was a reporting authority in relation to the application for the building permit (pursuant to regulation 129 (1)), then prior to completing this form please check the relevant R129 report to determine if there is an Appendix 1 – ‘187 Application Form’ attached the report. If the relevant R129 report includes an Appendix 1 – ‘187 Application Form’ then that form must be used in relation to your Regulation 187 Application.

Lodging this application form will result in the Fire Rescue Commissioner issuing a formal report pursuant to the Building Act 1993 and Regulation 187 (1) (a) &/or (b) of the Building Regulations 2018.

The Victorian Government Fire Services Reform package saw the formation of Fire Rescue Victoria (FRV) on the 1st of July 2020. Pursuant to Section 100 of the Fire Rescue Victoria Act 1958, the Fire Rescue Commissioner is the successor at law to the Chief Officer of the former Metropolitan Fire and Emergency Services Board (MFB).

FRV and CFA have signed a Service Level Deed Agreement which sees FRV provide services on behalf of the CFAs Chief Officer in relation to the built environment for the state of Victoria. These services include statutory service delivery under the National Construction Code and Victoria’s building legislative framework, that includes: R129(1) Applications, R187(1) Applications, NCC Part A2.2(4)(a) / A2G2(4)(a) Applications, Pre-129 advice incorporating the review of Fire Safety PBDBs.

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## Notification of upcoming changes to FRV application processes for Fire Safety Reports and Consultation - 2023

### Online Application Portal

Fire Rescue Victoria are in the process of developing a new online application portal for Fire Safety Reports and Consultation applications. It is anticipated that the portal will be operational in late 2023. The portal will assist FRV in ensuring that we collect all relevant information from the applicant in the first instance.

This application form has been updated to reflect the questioning that will be found on the new online application portal.

## Pre-129 & FEB Processes

FRV are also in the process of combining the 'Pre-129 Letter of Advice' process with the 'Fire Safety Performance Based Design Brief Review' process (formally FEB Review process). Combining these non-mandatory processes will ensure that we are providing the industry with clearer and more considered advice.

As of the 1<sup>st</sup> of June 2023, FRV will only review 'Pre-129 Letter of Advice' applications that include a copy of the Fire Safety PBDB (if applicable). Similarly, FRV will only review Fire Safety PBDB's that include details of the proposed Regulation 129 matters.

This new process effectively mirrors the current formal Regulation 129(1) application and reporting process.

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**Note: Failure to complete this form in full or failure to provide the requested documentation may result in your application being refused.**

### Regulation 187 Limitations

- FRV recommends that applicants are familiar with the following documents;
  - Victorian Building Authority, Building Practice Note BP-11: Report and Consent; available via the VBA's website.
  - FRV's policy pertaining to alterations and updates to designs and Fire Engineering Reports (FERs); [available here](#) (under the 'FRV bulletins' tab) or via FRV's website.

Do you understand this recommendation?                      Yes                       No

### Applicant Details

- Applicant's Full Name: \_\_\_\_\_
- Company Name: \_\_\_\_\_
- Company ABN: \_\_\_\_\_
- Company's Postal Address: \_\_\_\_\_
- Applicant's Mobile Number: \_\_\_\_\_
- Applicant's Email: \_\_\_\_\_

**Relevant Building Surveyors Details**

8. Relevant Building Surveyor's Full Name: \_\_\_\_\_
9. Relevant Building Surveyor's Registered Building Practitioner's Number: \_\_\_\_\_
10. Company Name: \_\_\_\_\_
11. Company's Postal Address: \_\_\_\_\_
12. Relevant Building Surveyor's Mobile Number: \_\_\_\_\_
13. Relevant Building Surveyor's Email: \_\_\_\_\_

**Address of Premises / Site**

14. Building Name / Stage Number (if applicable): \_\_\_\_\_
15. Address: \_\_\_\_\_
- Lot Number (if applicable): \_\_\_\_\_
- Planning Scheme Number (if applicable): \_\_\_\_\_

**Application Type**

16. Pursuant to which regulation are you applying for Report and Consent?
- Regulation 187 (1)(a)
- Regulation 187 (1)(a) & (b)

Note; Do not use this form if you are applying for Regulation 187 report and consent pursuant to Reg 187(1) (b) only. In this case please use the alternative R187(1)(b) application form provided on the FRV website.

**Regulation 129 Report and Consent**

17. This application form applies to when the Chief Officer / Fire Rescue Commissioner was a reporting authority in relation to the application for the building permit (pursuant to regulation 129 (1)), then please detail the FRV report numbers of all applicable Regulation 129 Reports.
- Relevant R129 Reports \_\_\_\_\_

**Required Documentation**

The Fire Rescue Commissioner of Fire Rescue Victoria requires the following documentation to be provided in conjunction with the Regulation 187(1) Application, where applicable.

18. A copy of the Form 15 'Application for an Occupancy Permit' that is applicable to this application.
19. A copy of the Alarm Signalling Equipment (ASE) Connection Notice or Alarm Amendment Notice, where applicable.
20. If the building is subject to a fire safety performance solution, then evidence in the form of a written and signed statement from a suitably qualified fire safety engineer or a Regulation 126 certificate from a suitably qualified fire safety engineer, is to be submitted in conjunction with the R187 Application. The statement or certificate is to indicate that all recommendations contained within the performance solution documentation prepared by project Fire Engineer, have been adopted and implemented.

Furthermore, the statement or certificate is to clearly detail the revision details (revision number and date) of the performance solution documentation that applies to the final as-constructed / as-built building.

21. Evidence in the form of a written and signed statement is required from the Relevant Building Surveyor, a suitably qualified fire safety engineer or the builder, is to be submitted in conjunction with the R187 Application. The statement is to indicate that all prescribed recommendations and non-prescribed recommendations detailed in the relevant Regulation 129 Report and Consent/s, have been adopted and implemented or are in the process of being adopted and implemented. The statement must itemise each prescribed recommendation and non-prescribed recommendation; the author of the statement may choose to provide documents or photographic evidence to support their statement.
22. If the building is provided with an automated vehicle parking system / car stacker; then a written and signed statement or report indicating that all requirements, including sprinkler protection have been provided as per FRV Guideline Number 32 (GL-32) and Section 10.6 of AS2118.1-2017 is to be submitted in conjunction with the R187 Application. The written and signed statement or report is to be prepared by a suitably qualified fire safety engineer or an independent sprinkler system certifier accredited by an accreditation body recognised by the Fire Rescue Commissioner.
23. If onsite fire service pumps are provided then a Certificate of Compliance & Practical Completion for the installed fire service pumpset/s is to be submitted in conjunction with the R187 Application. The certificate must specify that the installed fire service pumpset/s comply with the requirements of AS 2419.1-2005 & AS 2941-2013. A commissioning test report alone will not be accepted as evidence as compliance with AS 2419.1-2005 & AS 2941-2013.
24. Copy of Form A1.1; *Building Surveyor statement of compliance – Works*. This is in relation to Department of Health / Department of Families, Fairness and Housing, Capital Development Guidelines – Series 7, where applicable.
25. Copy of Form A1.2; *Fire Safety Engineer statement of compliance – Works*. This is in relation to Department of Health / Department of Families, Fairness and Housing, Capital Development Guidelines – Series 7, where applicable.

26. Where an existing fire service system is relied upon then a copy of the current maintenance reports on the installed fire services is required to be submitted in conjunction with the R187 Application.
27. Fire Service Block Plans / as-builts, where applicable.
- A PDF copy of the fire hydrant system block plan, that will be installed at the booster assembly in accordance with the applicable fire hydrant standard.
  - A PDF copy of the fire sprinkler system block plan/s, that will be installed at the sprinkler control valves in accordance with the applicable sprinkler standard.
  - A PDF copy of the combined fire hydrant and sprinkler block plan, that will be installed at the booster assembly in accordance with the applicable combined system standard.
  - A PDF copy of the alarm zone block plan/s, that will be installed at the FDCIE in accordance with the applicable detection and warning standard.
  - A PDF copy of the final design drawings (“as-built”) plan/s, that will be housed at the FDCIE in accordance with the applicable detection and warning standard.
28. Where required Tactical Fire Plans are to be produced / amended in accordance with FRV Guideline Number 6; this Guideline can be accessed via the Fire Rescue Victoria website. The Tactical Fire Plans are to be printed, laminated, and bound and are to be securely stored at the Main Fire Panel / Fire Control Room. A PDF copy of the Tactical Fire Plans is to be submitted with the R187 Application so that FRV can store the plans on file. In instances of alterations / extensions to existing buildings the sites existing tactical fire plans must be updated to reflect these alterations.

In addition to the above documentation, the Fire Rescue Commissioner requires reports from independent certifiers accredited by an accreditation body recognised by the Fire Rescue Commissioner on the following for fire services when applicable.

29. Fire hydrant systems.
30. Automatic fire detection and alarm systems.
31. Drencher system/s (note; the certifiers report must clearly demonstrate compliance with the following; where the drencher system water supply is taken from a fire hydrant system, the water supply must achieve the aggregate or simultaneous operational demand for the proposed drencher system and the *Required System Performance* for the fire hydrant (calculated under Part 2.3 of AS2419.1 2005) i.e. the maximum calculated demand for the drencher system + fire hydrant required system performance. The fire hydrant required system performance may be taken from the applicable value where varied and consented to in this report and consent).
32. Sprinkler system/s (note; this certifiers report must clarify the requirements of the applicable standard and the BCA Volume 1 in relation to simultaneous hydrant and sprinkler flow. If simultaneous flow is required to be demonstrated, then the submitted report must indicate if compliance is achieved. If simultaneous flow is not required to be considered, then the submitted report must indicate such).

When applicable, the above four reports are to demonstrate that compliance has been achieved in relation to the applicable Australian Standards and the Building Code of Australia, unless varied via Regulation 129 Report and Consent or via the submitted and reviewed performance solution documentation.

The Fire Rescue Commissioner currently recognises the following accreditation bodies:

- i. National Fire Industry Association of Australia (NFIAA), Australian Fire Services Practitioners Accreditation Board (AFSPAB); <http://www.nfia.com.au> (access the AFSPAB Register via the AFSPAB tab).
- ii. Fire Protection Accreditation Scheme (FPAS), managed by the Fire Protection Association Australia (FPA Australia). A list of FPAS Certifiers is available via this link; <http://www.fpa.com.au/certifiers>

### **Fees and Charges**

33. Please note: the preparation of a regulation 187 report will incur a fee and upon completion of the report an invoice will be forwarded to the applicant.

FRV will not invoice third parties for any Fire Safety related applications; all invoices will be addressed to the applicant.

Further billing information, including the gazetted rates and how fees are calculated is available at <https://www.frv.vic.gov.au/fire-safety-reports-and-audits>

Please provide your company's FRV account number if known: \_\_\_\_\_

34. Please provide the email address of your company's accounts department if you would like FRV to provide a copy of the invoice: \_\_\_\_\_

### **Applicant's Declarations**

35. This form must be signed by the applicant.

I declare that I am the applicant; and:

- I have read and understood the information provided in the Fees and Charges section of this application form.
- Pursuant to regulation 21(2) of the Fire Rescue Victoria (General) Regulations 2020, which states that the person requesting a service provided by FRV must pay the fee or charge fixed by FRV for that service; I understand that I will be liable to pay the fees incurred in respect of this application.
- I understand that it is an offence under section 246 of the Building Act 1993 for a person to produce a document, to a person or body carrying out any function under this Act or the regulations, which the person knows to be false or misleading in a material particular without indicating the respect in which it is false or misleading and, if practicable, providing correct information.

- I understand that it is an offence under section 246 of the Building Act 1993 for a person to knowingly make any false or misleading statement or provide any false or misleading information to a person or body carrying out any function under this Act or the regulations.
- I warrant that as far as I am aware, having made reasonable enquiries and relying on information from third parties, the information in this application is true and correct.
- The owner of the property which is the subject of this application (if not myself) has been notified of this application.

Applicant's Signature: \_\_\_\_\_

Applicant's Name (Printed): \_\_\_\_\_

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

### **Do you need help with your application?**

36. Do you need help with your application? Help is available via phone or email;

[bsr.admin@frv.vic.gov.au](mailto:bsr.admin@frv.vic.gov.au)

or

(03) 9665 4478

### **Application Lodgement**

Lodge your completed and signed application form and all required documentation to:

[bsr.admin@frv.vic.gov.au](mailto:bsr.admin@frv.vic.gov.au)

If you do not receive an email receipt in relation to your application within 24 business hours of lodging, then please contact BSR-Admin on (03) 9665 4478.