

**Fire Safety in  
Aged Care Facilities**

# **Fire Sprinkler Systems Implementation Committee Annual Report 2014**

**March 2014**  
Prepared by the Fire  
Sprinkler Systems  
Implementation  
Committee

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# Letter to Director-General

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Mr Sam Haddad  
Director-General  
Planning & Infrastructure  
23-33 Bridge Street  
Sydney NSW 2000

Dear Mr Haddad

I have pleasure in submitting to you the first Annual Report of the Fire Sprinkler Systems Implementation Committee.

The Report addresses the Committee's operations from their beginning in early 2013 until end February 2014 and reports on progress with fire sprinkler system installations in existing residential aged care facilities.

The Report also notes that the Committee is acting as a forum for both private and government members to raise issues, suggest various ways forward to overcome obstacles to progress, coordinate action and assist in developing advice to the Minister.

The Report is submitted to you in accordance with Environmental Planning and Assessment Regulation 2000 for you to provide to the Minister for Planning and Infrastructure and Minister for Ageing and for publication on Planning & Infrastructure's website.

Yours sincerely



Ivan Donaldson  
Chairperson  
Fire Sprinkler Systems Implementation Committee

1 March 2014

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# Executive summary

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On 1 January 2013, laws took effect that require automatic fire sprinklers to be installed in residential aged care facilities in NSW.

## The Fire Sprinkler Systems

Implementation Committee is playing a critical role in ensuring the achievement of the NSW Government's goal that all

existing residential aged care facilities are sprinkler protected by 2016-17. The Government's policy of requiring fire sprinkler systems in residential aged care facilities responds to the life safety risk posed due to the difficulty residents may have in evacuating these buildings in an emergency. This risk was highlighted by the tragic events of the Quakers Hill nursing home fire in November 2011. Importantly, the Committee's functions align with the Government's policy framework which provides for the phased installation of sprinklers allowing aged care providers to plan the work and minimise disruption for residents and families.

The Committee notes the positive progress that has been made to date, notwithstanding that it is eleven months into a timeline that could extend to four years in some cases. Based on the latest information received from aged care providers, 74% of facilities in the 18-month completion group had commenced their retrofit work and 13% had completed; and 73% of facilities in the three-year completion group had commenced their retrofit work and 3% in this group had already completed. The Committee notes the importance of regularly monitoring how installations progress particularly for the 129 facilities that need to complete installations by 1 September 2014.

The Committee is pleased with industry acceptance of the concept of installing sprinkler systems and the Government's policy settings. This is evidenced by full compliance with the obligation to register with the program followed by, where applicable, lodging of mandatory implementation plans.

In conducting its work to date, the Committee has met its responsibilities under the Environmental Planning and Assessment Regulation 2000. It has determined the form of implementation plans and progress reports for the installation of fire sprinklers in individual residential aged care facilities. It continues to monitor progress with installations and now reports on its operations since its inception in April 2013.

The Committee has developed a process for applying for the postponement of installation completion dates. It has also reviewed all 358 implementation plans for the facilities that must install by 1 March 2016. At the time of writing this report, progress reports for this group, due by 1 March 2014, were beginning to be submitted.

The Committee met on nine occasions since April 2013. To date, it has determined two applications for postponement of the required completion date with more anticipated to be determined over the next few months for facilities that must install by 1 September 2014. The Committee has also assisted in publishing implementation plan information on Planning & Infrastructure's website.

Positive progress has been made, with most aged care facilities at some stage of installation and some completed sprinkler retrofits.

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Apart from its monitoring and other statutory responsibilities, the Committee acts as a forum for both private and government sector members to raise issues and concerns, review both quantitative and qualitative information on progress or obstacles, develop strategies and solutions to any major obstacles including identifying actions for each sector, coordinate action between government and private sectors and contribute to advice to the Minister. These functions are resulting in practical actions to assist the diverse groups involved in this life safety program.

The Committee acknowledges Planning & Infrastructure's commitment to IT and on-line support for the program which has been particularly helpful to the Committee in its monitoring role, and in assisting industry to meet its obligations under the program.

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# Purpose of the report

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In response to life safety risks highlighted by the tragic fire at a Quakers Hill nursing home on 18 November 2011, the Government introduced laws, effective from 1 January 2013, to require automatic fire sprinkler systems to be installed in residential aged care facilities in NSW.

The Fire Sprinkler Systems Implementation Committee must report to the Director-General on its operations each year.

The Implementation Committee is a cross-sector committee established under the Environmental Planning and Assessment Regulation 2000 to, amongst other things, monitor the progress of the installation of fire sprinkler systems in existing residential aged care facilities recognising the higher level of risk to people in nursing homes that do not have fire sprinklers. The risk is being addressed by the retrofitting of sprinklers in existing homes and their installation in all new facilities.

The Government's desire to improve safety for residents and staff of aged care facilities has strong community support. There is little objection amongst the aged care industry to the concept of installing sprinklers. Since the legislation requiring sprinklers came into effect, the Planning & Infrastructure agency (P&I) has received very little correspondence or verbal comments objecting to sprinkler installation.

Under the Environmental Planning and Assessment Regulation 2000, the Implementation Committee must provide an annual report of its operations during the preceding year to the Director General, P&I. The report is due by 1 March each year. The Director General must provide a copy of the report to the Minister for Planning and Infrastructure and the Minister for Ageing. The report must be published on P&I's website.

The report provides the public with information on the progress of fire sprinkler system installations in existing residential aged care facilities.

## Policy context

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On 1 January 2013, laws took effect that require automatic fire sprinklers to be installed in residential aged care facilities in NSW. The laws followed a Government announcement in August 2012 that it would become mandatory for all residential aged care facilities to have an automatic sprinkler system installed. Proposed regulatory amendments were exhibited for public comment during October and November 2012, together with a draft technical standard for sprinkler systems.

The laws apply to new facilities and to all existing residential aged care facilities that are accredited by the Commonwealth. The new laws mean that facilities without fire sprinkler systems must install these by 1 September 2014 or by 1 March 2016, or by a later date if an extension of time is granted because of exceptional circumstances. Anyone who starts operating an existing facility after 1 January 2013 has to install sprinklers within 12 months or by the completion date nominated by the original provider (whichever is the sooner). Phased introduction of mandatory sprinkler installation aims to provide sufficient time for providers to plan for and install sprinklers.

Sprinkler installations must comply with the Fire Sprinkler Standard, Planning & Infrastructure's technical specification for sprinkler systems in these facilities.

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# Role of Fire Sprinkler Systems Implementation Committee

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Under clause 186Q of the Environmental Planning and Assessment Regulation 2000, the Implementation Committee is appointed by the Director General, P&I. It has both determination and advisory functions. The specific functions under the Regulation are:

The Fire Sprinkler Systems Implementation Committee is monitoring the progress of the installation of fire sprinkler systems in aged care facilities.

- Determining the form of the implementation plans and progress reports submitted to the Committee by aged care providers
- Reviewing implementation plans and progress reports
- Publishing those implementation plans and progress reports on P&I's website
- Determining applications for the postponement of the required completion dates for the installation of fire sprinkler systems in residential aged care facilities
- Monitoring the progress of the installation of fire sprinkler systems in residential aged care facilities
- Providing an annual report to the Director General of the Committee's operations during the preceding year by 1 March in every calendar year and with any other information or report that is requested by the Director General. The Director General must, as soon as is reasonably practical after receiving the annual report, provide a copy of the report to the Minister for Planning and Infrastructure and the Minister for Ageing and publish a copy of the report on P&I's website.
- Any other function conferred or imposed on the Committee by the Regulation or any other law.

The membership of the Committee is as follows:

**Chairperson** – Ivan Donaldson (formerly General Manager Australian Building Codes Board)

**P&I representatives** – Neil Cocks (Director Building Policy); Stephen Durnford (Team Leader Building Systems) as alternative [P&I to be Deputy Chair]

**Fire and Rescue NSW's representatives** – Greg Buckley (Chief Superintendent); Mark Whybro (Assistant Commissioner) as alternative

**Aged care industry representatives** – Illana Halliday (CEO Aged and Community Services Association NSW & ACT); Charles Wurf (CEO Leading Aged Services Australia NSW-ACT) as alternative

**Fire protection system design and installation experts** – Mark Cummings (Member Executive Committee Association of Hydraulic Services Consultants Australia (NSW)); Bill Lea (Director Fire Protection Association Australia) as alternative

**Expert in representing seniors in community organisations** – Ian Day (CEO Council of the Ageing NSW); Lisa Langley (Policy Manager COTA NSW) as alternative.

A representative from the Department of Family and Community Services, Ageing, Disability and Home Care (Mark Lawler, Director Asset Management) also participates in Committee meetings.

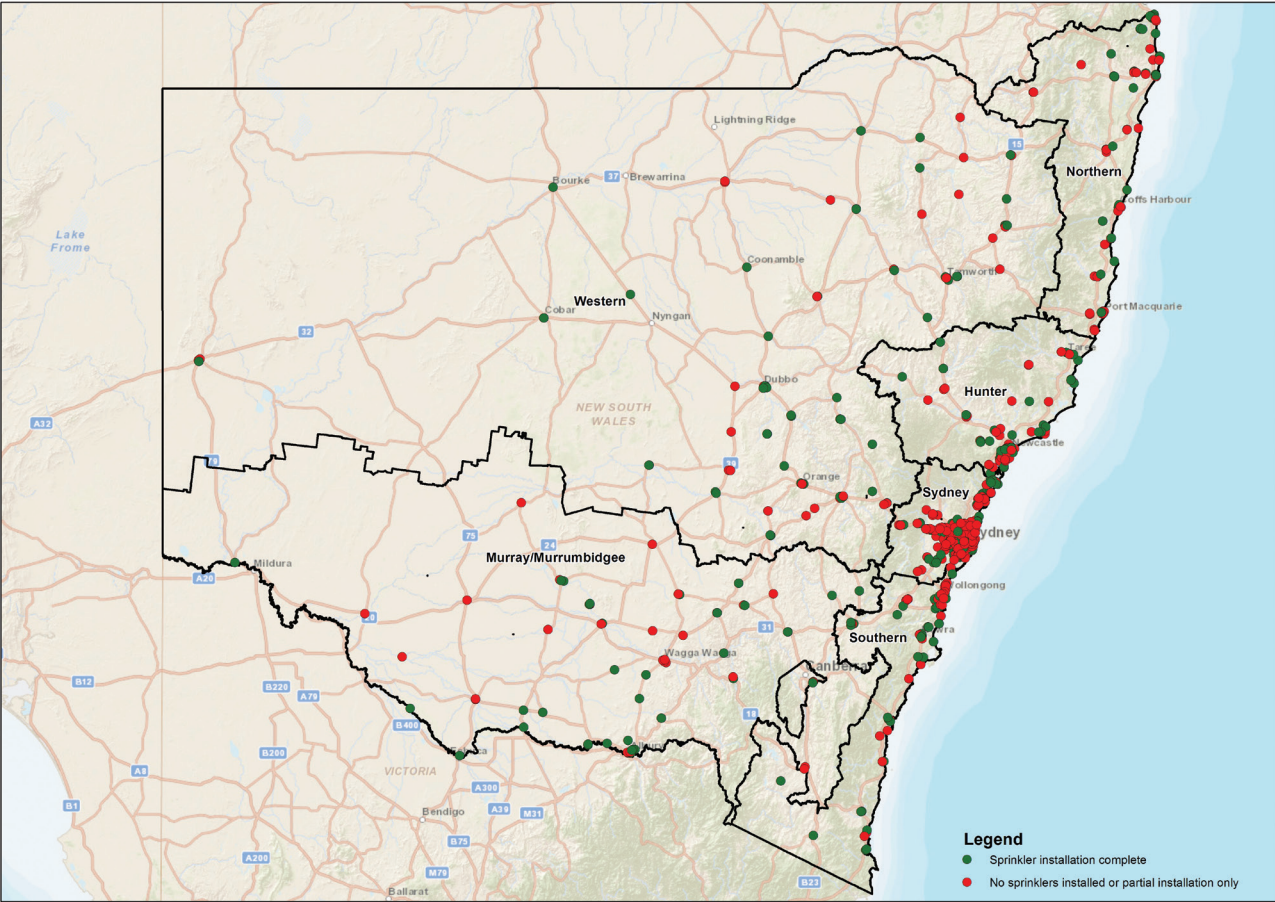


# Snapshot of facilities and current installation status

Aged care facilities located throughout the State accommodate over 60,000 people. When the program registration occurred, at March 2013, there were 885 Commonwealth accredited residential aged care facilities in NSW. At that time, 45 percent of these facilities were reported by aged care providers as being fully sprinkler-protected; 55 percent were not.

**Map 1** shows the location of all 885 facilities including the location of those with and without fire sprinklers as at March 2013.

**Map 1:** Location of facilities with and without sprinklers (NSW)

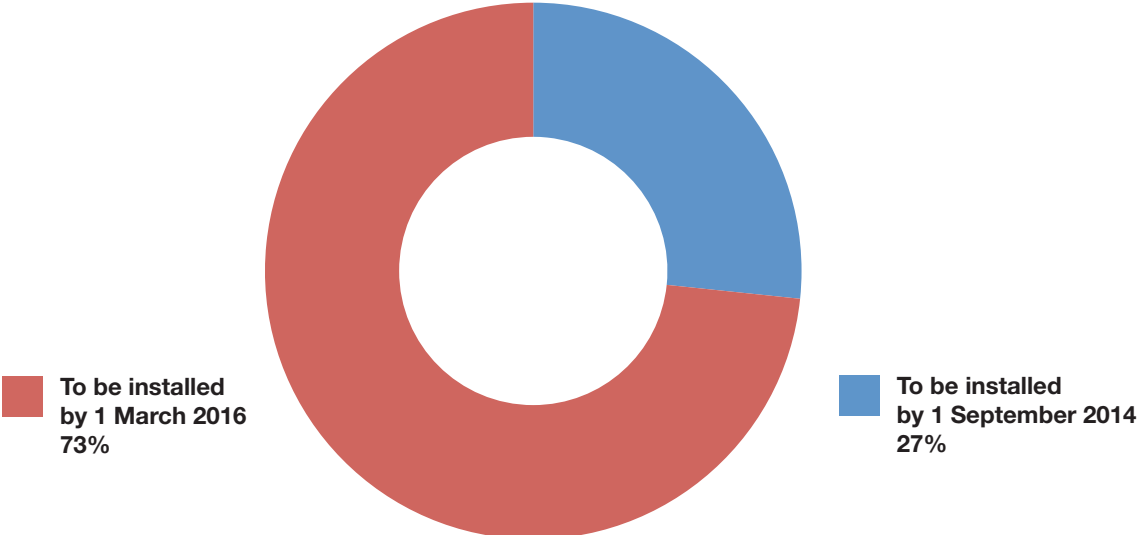


In March 2013, providers could nominate to retrofit sprinkler systems by 1 September 2014 (18-month group) or by 1 March 2016 (three-year group) – see **Figure 1a**. Limited extensions of time are possible in exceptional circumstances (up to 6 months for the 18-month group; up to one year for the three-year group).

Retrofit deadlines may vary where facilities change ownership after January 2013 – new operators of an existing facility have to install sprinklers within 12 months or by the completion date nominated by the original provider (whichever is the sooner).



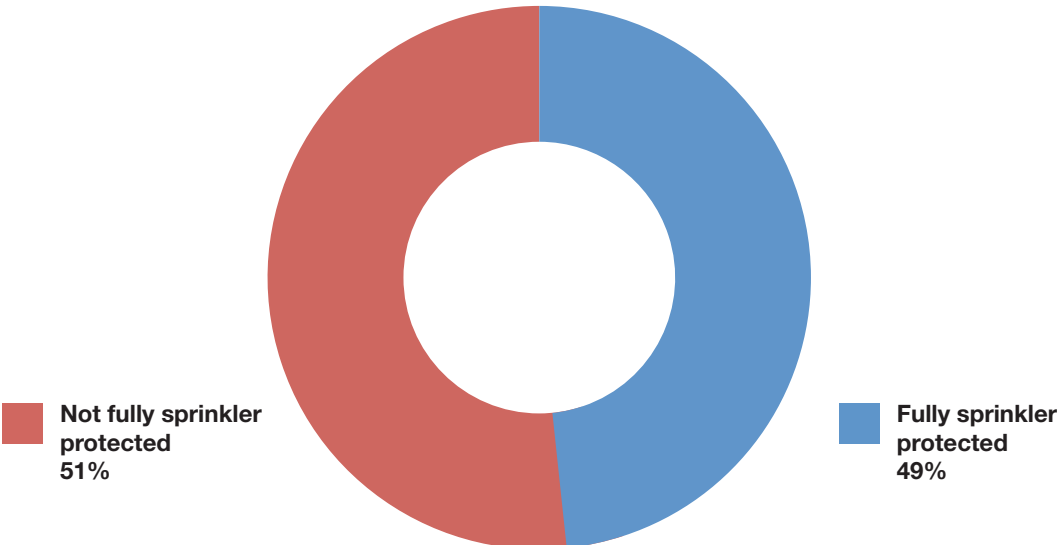
**Figure 1a: Facility nominated completion dates (March 2013)**



Note: ‘Progress report: Improving fire safety in aged care facilities’ published by P&I in July 2013 reported the total number of “non fully sprinkler protected” facilities as 487. This has been corrected to 484 facilities that need to install sprinklers and 401 already sprinkler protected. Three facilities reported after March that they already had approval to install sprinklers before 1 January 2013. This means they are exempted from the Regulation requirements on sprinkler installations. This has resulted in slight percentage changes in the figure above compared with previously published information.

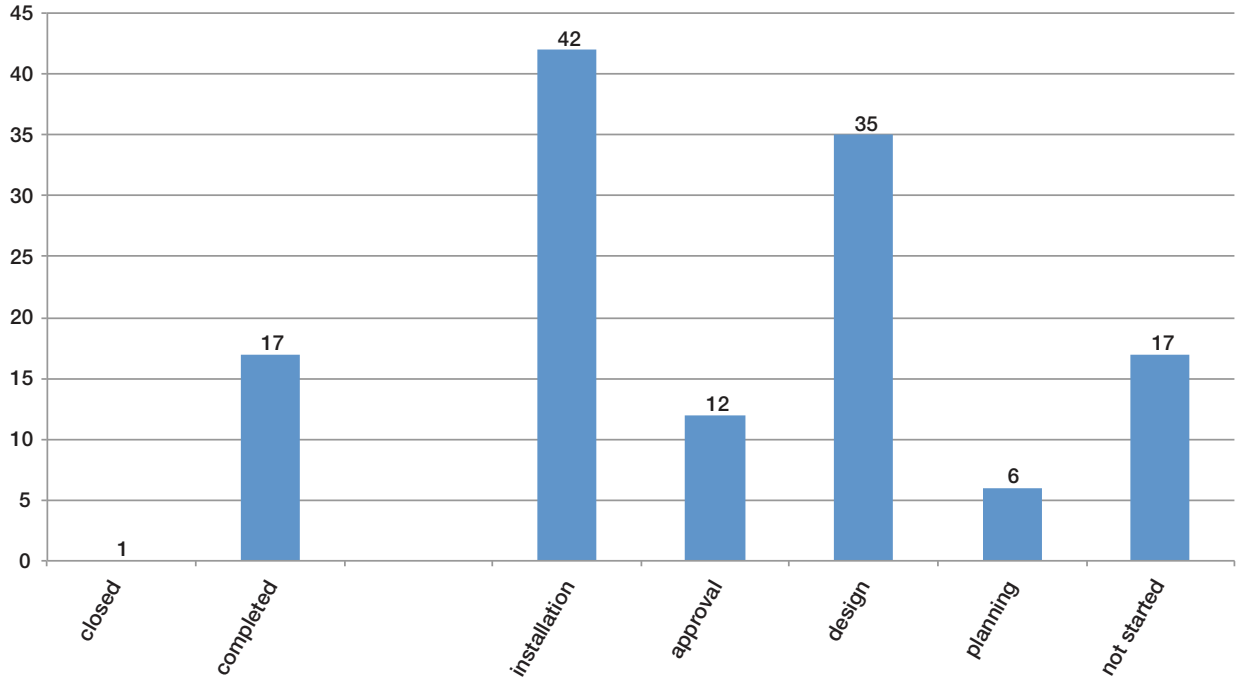
Since March, the latest information submitted by aged care providers shows that 49 percent (428 facilities) are fully sprinkler-protected, 51 percent (448 facilities) are not (**Figure 1b**). Out of the original 885 facilities, 27 facilities are known to have completed their installations and nine facilities have closed (**Figures 1c and 1d**). Some of the completions (10) are in the three-year group. It should be noted, however, that the total number of facilities that have installed sprinklers since March 2013 may be underestimated as providers are not required to submit completion documentation to the Committee until their required completion dates. The Committee is encouraging providers to submit this documentation as soon as sprinklers are installed and completion documentation is available, to assist with ongoing monitoring. The March data has also been updated by two postponements. Since March 2013, two facilities that were required to install by 1 September 2014 have been granted postponements until March 2015.

**Figure 1b: Facilities to install fire sprinklers (February 2014)**



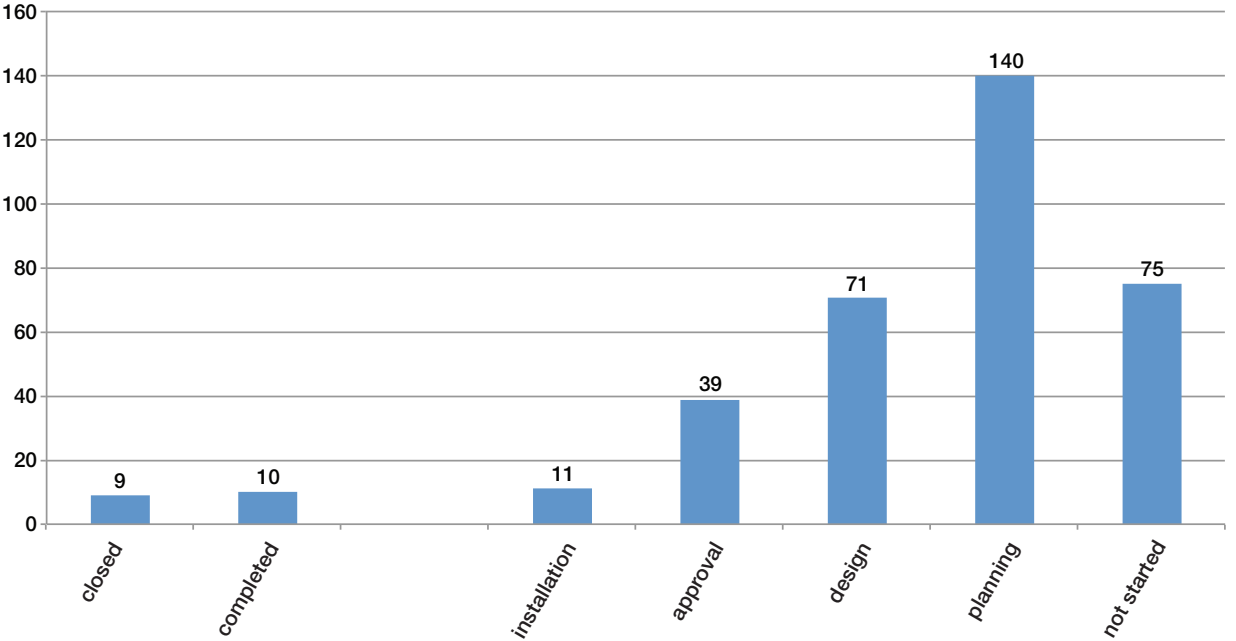
Note: This figure only covers facilities that, as of February 2014, need to be sprinkler protected. Therefore it does not include the small number of facilities that have closed since March 2013. The information in this report uses installation progress information submitted by aged care providers in September and October 2013 and any completion / closure information up until February 2014.

**Figure 1c: Facility installation status: 18-month group (February 2014)**



Note: The “18-month group” covers facilities that originally nominated to complete by 1 September 2014. Since then two facilities have been given extensions of time until 1 March 2015 – these facilities are included in Figure 1c.

**Figure 1d: Facility installation status: 3-year group (February 2014)**



Further details regarding installation status are discussed under ‘Monitoring’ on page 14.

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# Committee activities

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The following section deals with each of the responsibilities of the Committee under the Regulation.

## **Determining the form of implementation plans and progress reports**

Implementation plans and progress reports must be submitted for facilities that must install sprinklers by 1 March 2016. Progress reports are required bi-annually until the sprinklers are installed.

This reporting does not apply to the 129 facilities that have committed to retrofitting fire sprinklers by September 2014 in order to reduce red tape for these facilities.

Clause 186 (2) of the Regulation states that an implementation plan is to:

- (a) specify details of the proposed installation of the fire sprinkler system (including any approvals required for the installation), and
- (b) describe any work completed for the purposes of the installation, and
- (c) provide an estimate of the date by which the installation will be completed, and
- (d) specify the capital investment value of installing the fire sprinkler system, and
- (e) be in a form approved by the Implementation Committee, and
- (f) include any other information that the Implementation Committee directs (in its approved form) is to be included in the plan.

Clause 186 (3) states that a progress report is to:

- (a) specify any changes to information provided to the Implementation Committee in the implementation plan or an earlier progress report, and
- (b) be in a form approved by the Implementation Committee.

An online reporting system was built by P&I for aged care providers to register facilities covered by the program and to submit implementation plans and progress reports on the installation of fire sprinklers. In March 2013, aged care providers accredited with the Commonwealth Government registered with P&I and nominated to retrofit facilities with fire sprinklers either by 1 September 2014 (18 months) or by 1 March 2016 (three years). The results of the registration are summarised in **Figure 1a**. On 5 July 2013, forward notice of Implementation Plan requirements developed by the Committee were issued to aged care providers with facilities that must install sprinklers by 1 March 2016. The online system for submission of the plans went live on 5 August 2013. Implementation plans were due by 1 September 2013.

The Fire Sprinkler Systems Implementation Committee has met its regulatory responsibilities. A number of actions have also been taken to assist aged care providers to meet their legislated obligations and the Committee will continue to closely monitor and respond to concerns as the deadlines for sprinkler implementation approach.

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The Committee required information that indicates timeframes and major milestones for installation and the scope of installation work needed. For implementation plans and progress reports, aged care providers must state the current stage of installation work, the estimated date for starting the next phase and the estimated completion date. Providers must select from pre-defined installation phases. Collecting status information in this way allows tracking of progress over time and aggregation of the information to gauge the progress of the program as a whole.

Providers also submit other details such as size of the building, areas already sprinkler protected, need for tanks and pumpsets and details of planning and building approval.

Information on development approvals allows the Committee to advise P&I if significant planning delays are experienced. This allows P&I to consider whether any action on planning issues is needed.

In their plans and progress reports, providers can supply comments to the Committee on any anticipated delays or current delays being experienced. In progress reports, they must indicate if there have been any changes to the timetable previously submitted or other project scope details. They can explain why any changes were made.

To assist aged care providers to manage their projects, an automated email system has been created to remind providers of an upcoming commencement date for the next phase of their installation and that a completion date is approaching. The email is based on providers' installation schedule as reported in their implementation plan.

### **Reviewing implementation plans and progress reports**

More than 350 implementation plans were received and reviewed by the Committee. The results of these are summarised below. The Committee has established an ongoing monitoring mechanism using the implementation plan and progress report information. This includes overall program progress and peaks and troughs in demand, for instance, looking at the distribution of estimated completion dates between 2013 and 2016. This information will assist the Committee to advise the Government on any potential obstacles to meeting its policy objectives including supply and demand issues.

The first progress report for facilities in the three-year group is due by 1 March 2014. Results of these reports were not available for this report. However, as required, the Committee will be publishing the results on P&I's website and providing an overview of this progress report and the September 2014 progress reports in its next annual report.

The reporting so far has been notable for a high level of cooperation and compliance.

**Figure 2** shows that full compliance with registration and nomination of completion date group was achieved within three weeks of the deadline. Compliance with submitting Implementation Plans for facilities that must have sprinklers by 1 March 2016 by 153 providers was achieved within two weeks of the required deadline (**Figure 3**).

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## Figure 2: Registration compliance

Registration – Due date 1 March 2013	
Date	Take up
15 February	Online system went live
4 March	95% of facilities final data
20 March	100% of facilities final data

## Figure 3: Implementation Plan lodgement compliance

Implementation Plans – Due date 1 September 2013	
Date	Take up
5 August	Online system went live
10 September	95% of facilities final data
11 September	100% of facilities final data

An optional survey of providers with facilities in the 18-month group was conducted in October. The survey was completed by 90% of facilities (116 facilities).

The Committee notes the cooperation of the aged care industry peak bodies (Aged and Community Services Association NSW & ACT and Leading Aged Services Australia NSW-ACT) in encouraging providers to meet reporting timeframes.

### **Publishing implementation plans and progress reports on Planning & Infrastructure's website**

Implementation plans were published on P&I's website in January 2014. The public can use a simple online search function to view these plans. They can search by suburb, aged care provider or name of facility. This information will be updated by progress reports due by 1 March 2014.

An interactive map has been published on P&I's website showing each aged facility in NSW and its sprinkler installation status as at March 2013 (the program registration date). This means that a high level of information on the program and the fire sprinkler status of facilities is available to the public.

### **Determining applications for the postponement of installation of fire sprinkler systems**

Under the EP&A Regulation, the Fire Sprinkler Systems Implementation Committee can postpone the required completion date for fire sprinkler retrofits in aged care facilities.

The maximum postponement is set by the Regulation – six months for facilities with 1 September 2014 deadline; one year for facilities with 1 March 2016 deadline and facilities with a new operator.

The Committee has the power under the Environmental Planning and Assessment Regulation to specify matters it considers relevant to determining an application for postponement in addition to those already stated in the Regulation.

In October 2013, the Committee issued criteria additional to those in the Regulation for determining applications. The Committee considered it important to develop criteria for postponement at an early stage in the sprinkler implementation program and to disseminate this information to all aged care providers.

The criteria determined by the Committee are reproduced at **Appendix A**. These include the criteria set by the Regulation.

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The Regulation allows the Committee to grant postponements conditionally or unconditionally. The Committee determined that if a postponement is granted, the applicant must provide a commitment in writing that they will comply with progress reporting, the timing and frequency of which will be at the Committee's discretion. The applicant must also confirm in writing that they agree to implement any interim safety measures determined by the Committee pending sprinkler installation and that the measures will be verified by a suitably qualified person.

The postponement information issued to aged care providers and published on Planning & Infrastructure's website also states that the Committee will:

- conduct its consideration of applications for an extension of time in a consistent, equitable and transparent manner.
- make an assessment of all eligible applicants' written submissions against the criteria.
- request additional information if required.
- explain the reasons for its decision and outline any conditions to apply as part of its determination.
- arrange for the Committee's determination, and reasons for the decision, to be conveyed to the applicant and, subsequently, for the decision to appear on Planning & Infrastructure's website.
- not enter into further discussions with the applicant about its decision. No meetings with providers are proposed as part of the assessment process i.e. decisions will be based on written submissions.

At the time of writing this report, two postponement applications have been determined and approved. Both facilities were required to complete installation by 1 September 2014. The applications satisfied the postponement criteria for the 18-month installation group and now have extensions of time to 1 March 2015. Further information is at **Appendix B**.

### **Monitoring the progress of the installation of fire sprinkler systems**

The Committee is playing a critical role in helping to ensure the achievement of the Government's goal that all existing residential aged care facilities are sprinkler protected. The Committee notes that this policy has been designed to minimise adverse impacts on service provision by providing lead-in time for aged care providers to plan the work, raise funds and minimise disruption for residents and families.

Regarding progress to achieving compliance of all facilities within the timeframes, the most current information from aged care providers shows that 95 facilities (74%) in the 18-month group had started retrofit work (including project planning) and 17 (13%) had completed. 42 (33%) facilities were in the installation phase. Twelve were in the approval phase. There is no current information on the current status of 13 facilities for which the optional October survey was not completed. P&I has followed up the non-respondents to obtain information on the current status of their installation work. Fourteen of the surveyed facilities estimated completion dates after 1 September 2014: 13 by end September 2014 and one in March 2015. P&I has contacted these facilities concerning required timelines and postponement applications.

This compares with 261 (78%) of the three-year group that have started retrofit work.

The facility installation status for the 18-month group and three-year group as at September / October 2013 is shown at **Figure 4**. This information is drawn from implementation plans submitted in September 2013 for all facilities in the 1 March 2016 installation and from the optional survey of facilities in the 18-month group. The survey was completed by 90% of facilities (116 facilities). Completions and closures information is as reported by aged care providers up until February 2014.

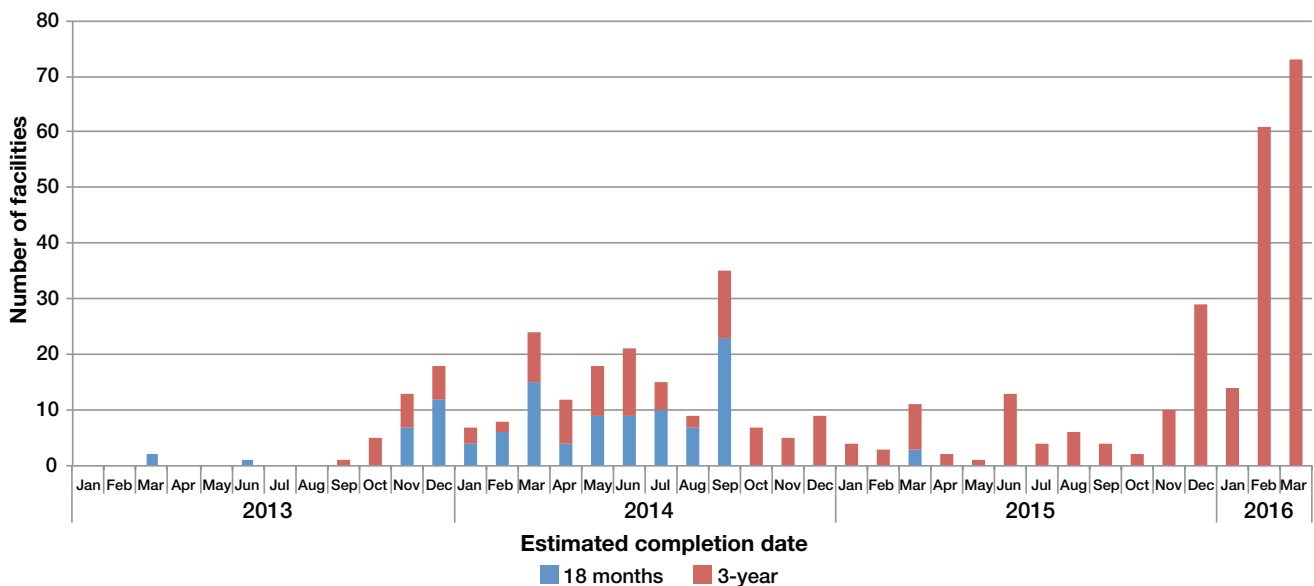
**Figure 4: Facility fire sprinkler system status**

Facility installation status	18-month group	3-year group
not started	17 (13.2%)	75 (21.1%)
planning	6 (4.7%)	140 (39.4%)
design	35 (27.1%)	71 (20%)
approval	12 (9.3%)	39 (11%)
installation	42 (32.6%)	11 (3.1%)
completed	17 (13.2%)	10 (2.8%)
closed	0 (0%)	9 (2.5%)
<b>Total</b>	<b>129 (100%)</b>	<b>355 (100%)</b>

Note: Out of the 13 facilities in the 18-month group that did not complete the October survey, two have completed their installations. For the remainder, their March installation status is shown above. The “18-month group” covers facilities that originally nominated to complete by 1 September 2014. It includes facilities that have been given extensions of time since. The “3-year group” cover facilities that originally nominated completion by 1 March 2016.

Overall progress is encouraging but underlines the importance of regular monitoring given the need for all 484 facilities to comply and the potential pressure on the supply of and demand for products and services within the required completion timeframes. **Figure 5** below shows noticeable spikes in the number of estimated completions in September 2014 and March 2016. This is something that the Committee will need to monitor to minimise the risks of postponement applications and potentially escalating prices.

**Figure 5: Distribution of estimated completion dates**



When asked about potential obstacles in September, 59 of the facilities that must retrofit by 1 March 2016 stated some potential or actual obstacle or delay. The most commonly cited obstacle was supply of contractors (17). Of the facilities that must be retrofitted by 1 September 2014, 23 out of 99 survey respondents stated that they anticipate some delays, the most common delay type being supply of contractors (10 facilities).

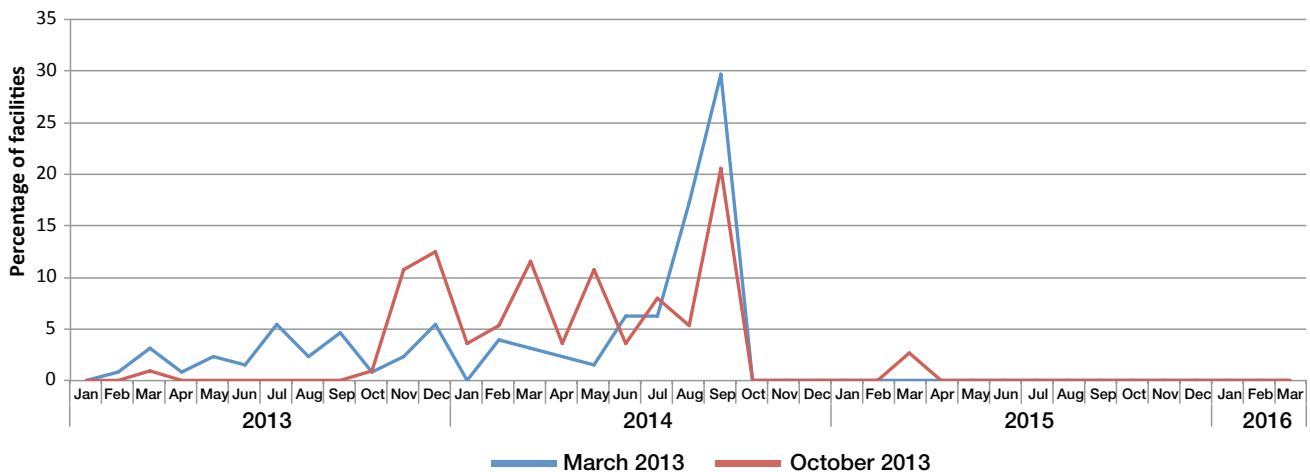
The Committee has concerns about the ability of some facilities in the 18-month group to meet their timeframes given that only seven months remain until their deadline and that there are some signs of constraints on the supply of designers and installers.



It is possible that up to 24% of all 484 facilities that must install sprinklers will be complete by September 2014; however these will be a mix of those from the 18-months group and the 3-year group.

An analysis of information provided by the 18-month group at March and October 2013 indicates that a number have pushed back their estimated completions since their predictions in March. This is summarised in **Figure 6**. In March, 28 facilities estimated they would be completed by October. Out of those 28, four are completed, 20 have set back completion (13 to end of 2013, seven to later – see blue bars in **Figure 5**) and there is no information on four facilities for which October survey information was not provided.

**Figure 6: Estimated completion dates – March vs October – 18 months facilities**



A small number of closures have been reported. It should be borne in mind that the reported data deals only with existing buildings, some of which are older stock, and takes no account of new buildings constructed to replace existing buildings. New buildings built after January 2013, when the sprinkler retrofit laws came into effect, must have sprinklers. The Committee will monitor potential closures as part of its activities.

Regular reports from aged care providers are supplemented with the industry knowledge of the Committee members, in particular representatives of aged care providers and fire system designers and installers. Numerical information is supplemented by this industry awareness. With this information, the Committee has established a process and forum for the early identification of and development of mitigation strategies against any major risks to achieving the Government's goals.

The Committee acts as a forum for both private and government sectors to raise issues and concerns, review both quantitative and qualitative information on progress or obstacles, develop strategies and solutions including action by each sector, coordinate action between government and private sectors and contribute to the advice submitted to the Minister.

There is a clear recognition of the cross sector nature of the program and the need to reach diverse audiences. Important practical initiatives have been taken as a result of this forum, some being channelled through organisations associated with Committee members. Initiatives include:

- The Fire Protection Association of Australia providing an online list of member companies engaged in designing, installing and certifying fire sprinkler systems in NSW.
- Information for aged care providers on the Aged and Community Services NSW website including tips on hiring designers and installers, what to expect from building certification, and industry alerts and warnings. Issues raised by Committee members have contributed to information on this website and various Committee members have contributed to the information including the Association of Hydraulic Services Consultants Australia and P&I.

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- Advice to stakeholders through the P&I's fire sprinkler program e-bulletin for aged care providers, fire protection system specialists, building certifiers and other subscribers. The bulletin acts as a vehicle to provide advice to a range of stakeholders on the regulatory requirements and other issues as they arise, often in response to matters raised through the monitoring program and as raised by Committee members.
  - P&I hosted a forum for aged care providers in July 2013 which included case studies of sprinkler retrofits presented by aged care providers and an expert panel of aged care providers, sprinkler designer and building regulatory experts for questions and answers.
  - Referrals to P&I's advisory phone line. This has assisted in providing advice to individual building certifiers, installers and aged care providers including P&I assisting aged care providers to understand the planning and building approval process. P&I has also raised individual cases with councils and other government authorities, such as water authorities, to ensure that 'red tape' is reduced given the deadlines that apply to aged care providers on this life safety program. In this regard, the Committee notes that part of the Government regulatory package requiring fire sprinklers included a fast track building approval process for the installation of sprinklers.
  - Advice to aged care providers, generally or individually, responding to obstacles or concerns raised in implementation plan or progress reports. These matters are discussed by the Committee and action may be for aged care peak organisations, P&I, or the fire protection industry, or the Committee as a whole.
  - Through aged care industry peak bodies the Committee has been encouraging aged care providers to seek funding where necessary from Commonwealth 'hardship' allocations.

**Any other function conferred or imposed on the Committee by this Regulation or any other law.**

No other functions have been conferred or imposed to date.

*The Committee would like to acknowledge the strong support it has received from Neil Cocks and his team in Planning and Infrastructure in carrying out its duties. In particular, Ms Helen Ting, Ms Liz Skerrett and Mr Matthew Wunsch have provided invaluable and timely policy and program analysis, industry liaison and secretariat support to assist us.*

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# Appendix A

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## **Postponement criteria for facilities with a required completion date of 1 September 2014**

1. (a) Evidence that exceptional circumstances have arisen since the facility nominated its deadline that prevent this deadline being achieved

OR

1. (b) Evidence that compliance with the original deadline would create such a significant financial burden that it would result in adverse residential care outcomes (Clause 186L(6) of EP&A Regulation).

AND

2. Evidence that the applicant has at least completed the project planning phase and the terms of its sprinkler installation tender specifications for the fire sprinkler system installation before applying for postponement.

AND

3. Evidence of compliance with the Commonwealth's accreditation requirements for fire safety.

AND

4. A detailed project plan (including key milestones and dates) demonstrating how the new required completion date being sought, if granted, will be complied with.

## **Postponement criteria for facilities with a required completion date of 1 March 2016**

1. (a) Evidence that exceptional circumstances have arisen since the facility nominated its deadline that prevent this deadline being achieved.

OR

1. (b) Evidence that compliance with the original deadline would create such a significant financial burden that it would result in adverse residential care outcomes (Clause 186L(6)(b) of the EP&A Regulation).

AND

2. Evidence that the applicant has substantially complied with the implementation plan for the facility. Substantial compliance includes substantial progress in complying with the intent and milestones of the plan to install a compliant fire sprinkler system (Clause 186L(6)(a) of the EP&A Regulation).

AND

3. A report by a competent person on the fire safety status of the facility(s) including recommendations (if any) concerning interim safety measures which could form conditions of any approval to postpone. This must include evidence of compliance with the Commonwealth's accreditation requirements for fire safety.

AND

4. A detailed project plan (including key milestones and dates) demonstrating how the new required completion date being sought, if granted, will be complied with.

## **Postponement criteria for new operators (i.e. those that commenced operations after 1 January 2013)**

For those providers that began operating a facility after 1 January 2013, the assessment criteria that will apply to any postponement application will correspond with the original nominated completion date that was selected for the facility.

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# Appendix B

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## Postponement applications

Facility	Decision	Original required completion date	New required completion date
Cootamundra Nursing Home, Cootamundra	Approved	1 September 2014	1 March 2015
McLean Care Ltd, Inverell	Approved	1 September 2014	1 March 2015

**March 2014**