



New South Wales

# **State Environmental Planning Policy Amendment (Fire Sprinkler Systems) 2012**

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.

BRAD HAZZARD, MP  
Minister for Planning and Infrastructure

## **State Environmental Planning Policy Amendment (Fire Sprinkler Systems) 2012**

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### **1 Name of Policy**

This Policy is *State Environmental Planning Policy Amendment (Fire Sprinkler Systems) 2012*.

### **2 Commencement**

This Policy commences on 1 January 2013 and is required to be published on the NSW legislation website.

### **3 Repeal of Policy**

- (1) This Policy is repealed on the day following the day on which this Policy commences.
- (2) The repeal of this Policy does not, because of the operation of sections 5 (6) and 30 of the *Interpretation Act 1987*, affect any amendment made by this Policy.

## **Schedule 1      Amendment of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004**

**[1] Clause 3 Interpretation**

Insert in alphabetical order in clause 3 (1):

*fire sprinkler system* means a system designed to automatically control the growth and spread of fire that may include components such as sprinklers, valves, pipework, pumps, boosters and water supplies.

**[2] Clause 22**

Insert after clause 21:

**22 Fire sprinkler systems in residential care facilities for seniors**

Development for the purpose of the installation of a fire sprinkler system in a residential care facility for seniors may be carried out with development consent.

**[3] Clause 55**

Insert after clause 54:

**55 Residential care facilities for seniors required to have fire sprinkler systems**

A consent authority must not grant consent to carry out development for the purpose of a residential care facility for seniors unless the proposed development includes a fire sprinkler system.

**2012 No 670**

State Environmental Planning Policy Amendment (Fire Sprinkler Systems) 2012

Schedule 2

Amendment of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

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**Schedule 2      Amendment of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008**

**[1]    Clause 1.5 Interpretation—general**

Insert in alphabetical order in clause 1.5 (1):

*fire sprinkler system* means a system designed to automatically control the growth and spread of fire that may include components such as sprinklers, valves, pipework, pumps, boosters and water supplies.

**[2]    Part 4A, Division 1**

Insert at the end of Division 1 of Part 4A with appropriate Subdivision and clause numbering:

**Subdivision      Fire sprinkler systems in residential care facilities for seniors**

**Specified complying development**

The following development is specified for this code:

- (a) the installation or extension of a fire sprinkler system in a residential care facility for seniors (within the meaning of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*),
- (b) the internal or external alteration of, or addition to, an existing building to enable the installation of a fire sprinkler system in a residential care facility for seniors,
- (c) the construction or installation of a pump house.

**Development standards—general**

The standards specified for that development are that:

- (a) the current use of the premises must be a lawful use, and
- (b) if the building in which the fire sprinkler system is to be installed is subject to an alternative solution relating to a fire safety requirement, the development must be consistent with that alternative solution, and
- (c) the development must not reduce the level of fire safety or structural integrity provided by an existing building, and
- (d) the development must not alter or extend an existing fire sprinkler system if the level of fire hazard arising from the

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- current use of the building exceeds the level of fire hazard for which the fire sprinkler system was designed and installed, and
- (e) the development must not contravene any condition of an existing development consent that applies to the land relating to vehicle access and loading facilities or result in the reduction of any car parking on the land by more than 2 car spaces, and
  - (f) the development must not:
    - (i) result in a change of classification of the building under the Act or the *Building Code of Australia*, or
    - (ii) result in an increase in the gross floor area of any existing residential accommodation, or
    - (iii) affect any existing fire resisting components of any building, or
    - (iv) affect the means of egress from the building in an emergency, and
  - (g) any excavation must not:
    - (i) be greater than 3 metres below ground level (existing) or be less than 1.5 metres from any lot boundary (unless it is for the purposes of connecting the system to a water main on an adjoining street), or
    - (ii) cause damage to any adjoining buildings or structures on the lot or to any building or structure on any adjoining lot, or
    - (iii) redirect the flow of surface water onto adjoining property, and
  - (h) all stormwater drainage collecting as a result of the development must be conveyed by a gravity fed or charged system to:
    - (i) a public drainage system, or
    - (ii) an inter-allotment drainage system, or
    - (iii) an on-site disposal system, and
  - (i) all stormwater drainage systems within a lot and the connection to a public or an inter-allotment drainage system must:
    - (i) if an approval is required under section 68 of the *Local Government Act 1993*, be approved under that Act, or
    - (ii) if an approval is not required under section 68 of the *Local Government Act 1993*, comply with any

**2012 No 670**

State Environmental Planning Policy Amendment (Fire Sprinkler Systems)  
2012

Schedule 2

Amendment of State Environmental Planning Policy (Exempt and  
Complying Development Codes) 2008

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requirements for the disposal of stormwater drainage contained in a development control plan that is applicable to the land.

**Development standards—water storage tanks**

The development standards applying to the installation of a new water storage tank or an extension to an existing water storage tank for the purposes of the installation or extension of a fire sprinkler system are that:

- (a) the tank, or the extended existing tank, is to have a capacity of no more than 100,000 litres, and
- (b) if the tank is to be located within a building, the tank must not increase floor area of a room, and
- (c) if the tank is to be located outside a building, it must:
  - (i) be located behind the building line of the primary public road frontage (the front of the building), unless the tank is to be located below ground level, and
  - (ii) be located at least 3 metres from any other public road frontage, and
  - (iii) have a diameter or width of not more than 6 metres, and
  - (iv) have a height of not more than 5 metres above ground level (existing), and
  - (v) for any tank up to 3 metres in height, have a setback of at least 900 millimetres from any side or rear boundary, and
  - (vi) for any tank 3 metres in height or greater, have a setback of at least 3 metres from any side or rear boundary, and
- (d) if the tank is to be located on the roof of a building, it must:
  - (i) on a flat roof, be not more than 3 metres above the roof level and be located at least 3.5 metres from the parapet edge of the building, or
  - (ii) on a pitched roof, be not more than 1 metre above the ridge level of the roof of the building.

**Development standards—external pump houses and fixed-on-site fire pump sets**

The development standards applying to the installation of a new external pump house or enclosure to accommodate a fixed-on-site fire pump set and associated pipe work and

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equipment for the purposes of the installation or extension of a fire sprinkler system are that:

- (a) the wall of any pump house or any enclosure of a pump set is to be of a non-combustible material, unless otherwise required by the *Building Code of Australia*, and
- (b) the wall of any pump house or any enclosure of a pump set must have an external wall finish that is the same colour palette as the existing premises so that the pump room or enclosure is in keeping with the existing premises, and
- (c) any development comprising the construction of an attached pump house or enclosure to accommodate a fire sprinkler system pump must not increase the floor area of an existing building by more than 20 square metres, and
- (d) if the pump house or enclosure is to be located outside a building, it must:
  - (i) be located behind the building line of the primary public road frontage (the front of the building), unless the pump house or enclosure is to be located below ground level, and
  - (ii) be located at least 3 metres from any other public road frontage, and
  - (iii) have a height of not more than 3 metres above ground level (existing), and
  - (iv) have a setback of at least 900 millimetres from any side or rear boundary, and
- (e) if the pump house or enclosure is to be located on the roof of a building, it must:
  - (i) on a flat roof—be not more than 3 metres above the roof level and be located at least 3.5 metres from the parapet edge of the building, or
  - (ii) on a pitched roof—be not more than 1 metre above the ridge level of the roof of the building, and
- (f) any pump house or enclosure must be sound proofed to ensure that the house or enclosure does not emit noise exceeding an LAeq of 5 dB(A) above background noise when measured at any lot boundary.

**Development standards—fire mains and pipes and booster connections**

- (1) The development standards applying to the installation of a new or replacement fire main or pipe and the connection to the water

## 2012 No 670

State Environmental Planning Policy Amendment (Fire Sprinkler Systems)  
2012

Schedule 2 Amendment of State Environmental Planning Policy (Exempt and  
Complying Development Codes) 2008

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supply for the purposes of the installation or extension of a fire sprinkler system are that:

- (a) all pipework is to be located within the building or located underground, other than the part of the pipe or main within a horizontal distance of:
    - (i) 2 metres of an above ground fire sprinkler system booster connection used by Fire and Rescue NSW, and
    - (ii) 2 metres of the point at which the pipework enters the building, and
  - (b) a fire brigade booster connection, if it is not attached to the building, must not:
    - (i) have a height of more than 1.5 metres above ground level (existing), or
    - (ii) cover an area of more than 6 square metres.
- (2) Despite subclause (1) (a) (ii), in relation to a building within a heritage conservation area or draft heritage conservation area, all such pipework is to be located within the building, underground or attached to the side or rear of the building.

### [3] Part 4A, Division 2

Insert at the end of Division 2 of Part 4A with appropriate clause numbering:

#### **Conditions applying in relation to installation of fire sprinkler systems in residential care facilities for seniors**

(1) **Alarm signalling equipment**

Any connection of a fire sprinkler system to an existing alarm signalling equipment must not result in any loss of monitoring service continuity unless fire watch measures are implemented for the full duration of the connection period.

(2) **Hours of construction**

Construction that is audible in any dwelling on an adjoining lot may only be carried out between 7.00 am and 5.00 pm on Monday to Saturday.

(3) **Compliance with plans**

Works must be carried out in accordance with the plans and specifications to which the complying development certificate relates.



(4) **Sedimentation and erosion controls**

Run-off and erosion controls must be effectively maintained until the site has been stabilised and landscaped.

- (5) Excavation must be carried out in accordance with *Excavation Work Code of Practice* ISBN 978-0-642-785442 published by Safe Work Australia.

(6) **Maintenance of site**

Building materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.

- (7) Waste materials must be disposed of at a waste management facility.

- (8) The work site must be left clear of waste and debris at the completion of the works.

(9) **Utility services**

If the complying development requires alteration to, or the relocation of, utility services on the lot on which the complying development is carried out, the complying development is not complete until all such works are carried out.

**2012 No 670**

State Environmental Planning Policy Amendment (Fire Sprinkler Systems)  
2012

Schedule 3

Amendment of State Environmental Planning Policy (Infrastructure) 2007

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**Schedule 3      Amendment of State Environmental  
Planning Policy (Infrastructure) 2007**

**Schedule 1 Exempt development—general**

Insert the following under the heading “**Development standards**” opposite the matter relating to fire fighting emergency equipment:

- If located within a residential care facility for seniors (within the meaning of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*), a fire sprinkler system must comply with the Fire Sprinkler Standard (within the meaning of Division 7B in Part 9 of the *Environmental Planning and Assessment Regulation 2000*).