



Roadmap for Reforms to the Regulation of ESM Maintenance

Fire Australia 2026

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6 May 2026



WEIR
Legal & Consulting



▲ Overview

- The regulatory landscape across Australia
- BCR and reforms since
- Road map for reforms



▲ The regulatory landscape across Aust

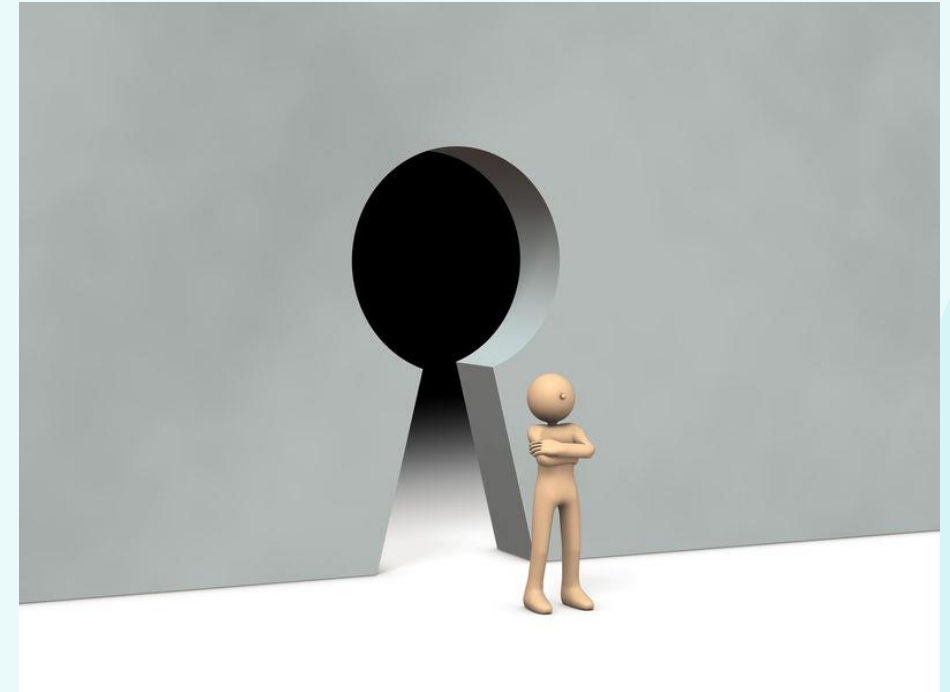


- Registration/licensing
- Maintenance standards
- Annual Reports
- Enforcement

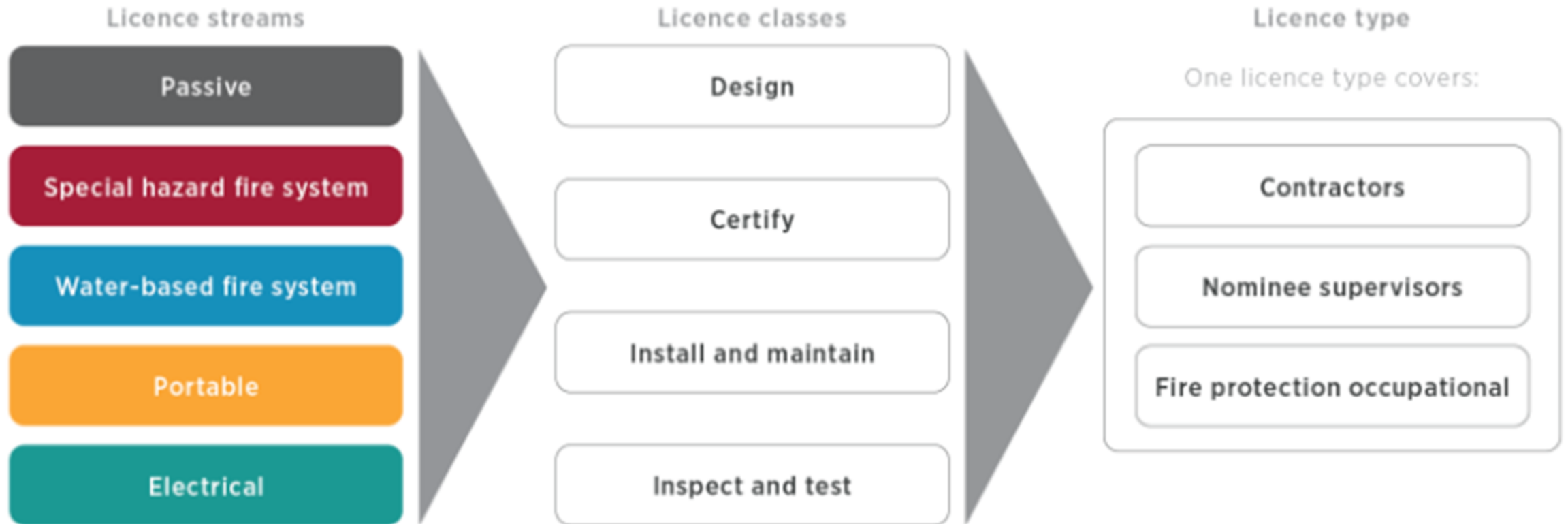


▲ Registration/licensing - maintenance

- What **can** or **should** you be able to do without a plumbing or electrical registration/licence?
- Should there be a 'fire protection licensing scheme'?
- What do we have in Aust?



▲ Qld Fire Protection Licensing scheme



▲ **Tasmania – licensing/registration**

- CBOS - Fire protection services builder
- Tas Fire Service –permits persons who may install service and repair
 - **portable fire protection**
 - **fire protection systems**
- Under review



▲ Victoria - licensing/registration

- No general fire protection licensing

Practice Note ESM-02 (under review) A 'competent person' is defined within AS 1851-2012 as *"a person who has acquired through training, qualification, experience, or a combination of these, the knowledge and skill enabling them to correctly perform the required task."*

- Plumbing – fire protection work
- Restricted classes - 6 monthly and annual testing for
 - hose reels
 - unpumped hydrants



▲ New South Wales - licensing/registration

- No requirement to be accredited to install or do routine maintenance, testing and servicing of EFSM (other than plumbing & electrical)
- Have some types of fire safety practitioners
 - **Fire systems designers**
 - **Fire Safety Assessors for Annual Fire Safety Statements**
 - **Soon to have Fire System Certifiers for newly installed FSM**



▲ Northern Territory & ACT



NORTHERN TERRITORY FIRE AND RESCUE SERVICE

ADVISORY NOTE

MAINTENANCE OF BUILDING FIRE SAFETY MEASURES

1.0 Purpose

This advisory note has been developed by the Northern Territory Fire and Rescue Service to inform building owners/occupiers of their legal obligations to maintain building fire safety measures and to confirm the requirements and expectations for undertaking and recording this activity.

2.0 The importance of maintenance

Building fire safety measures are required to be installed in buildings to achieve community



ACT
Government



**MAINTENANCE OF FIRE
PROTECTION SYSTEMS
AND EQUIPMENT**

**FIRE SAFETY GUIDELINE
FSG – 05**



Competency - holding relevant nationally recognised units of competency from the Australian Qualification Framework (AQF) is an appropriate way to demonstrate competence regarding the maintenance of fire protection systems and equipment.



▲ South Australia & Western Australia



No specific registration or licensing for ESM installation or maintenance contractors in WA or SA other than plumbing & electrical



▲ Standards for Regulating ESM Maintenance

- Part J removed from NCC in 2014
- States/territories to regulate ESM maintenance on the basis that the NCC is for construction of buildings
- AS 1851 generally required by regulations or via occupancy permit process (NSW from Feb 2026)
- Also - AS2293 and AS2118



▲ Annual reporting

	ACT	NSW	NT	SA	TAS	QLD	VIC	WA
Terminology	Active Fire Safety Systems/Essential Services	Essential Fire Safety Measures	Building Fire Safety Measures	Fire Safety Provision/ Essential Safety Provisions	Essential Building Service	Fire Safety Installations	Essential Safety Measures	Safety Measures
Annual report	X	✓	✓	✓	X	✓	✓	X
Lodged with	N/A	Council & FRNSW	No	Council	N/A	QFES	No	N/A
Trigger for maint. standard	Fire Safety Guide 05 (query legal status) (Aug 23)	Regulations (Feb 2026)	Regulations (May 2023)	Ministerial Building Standards	Director's Determination (2017)	QDC MP 6.1 Commissioning and maintenance of fire safety installations	Occupancy permit & Building Regulations	Building Regs WA FES Operational Requirement Guide April 2025

▲ Enforcement etc.

	ACT	NSW	NT	SA	TAS	QLD	VIC	WA
Other notable features		Co-regulation with FPAA for fire safety practitioners	NTFRS does enforcement FPAS accreditation recognised Regs mandate emergency planning for prescribed buildings	Council Building Fire Safety Committees	TFS gets commissioning reports	Fire Safety Reg – evacuation practice and ‘high occupancy buildings’ must have person with fire safety qual.	Council & FRV have powers but limited resources are given to this area across State.	Cert of inspection & testing required on installation of prescribed systems



▲ Enforcement

Sciminello Thesis (Feb 2024)

- Residential NSW & Vic – approx. 36,000 buildings
- Performance based solutions make maintenance more complex
- NSW 612 inspection reports – 36% fully compliant – 64% not
- VIC 964 inspection reports – 13% fully compliant – 87% not
- Regulators need to support and educate as well as penalise
- Must have clear handover documents – building manuals
- Most councils are under resourced to do ESM enforcement– reactive rather than proactive
- Need accreditation and accountability for those who certify maintenance



▲ BCR – National Registration Framework

Fire Systems Installer

“The construction, installation, replacement, alteration, routine servicing, maintenance, testing or commissioning of any part of a system used for firefighting or fire detection.”

1. Licensed water-based fire system installer
2. Licensed fire detection and alarm installer
3. Licensed emergency and exit lighting systems installer
4. Passive fire and smoke systems installer



▲ Rec 20 & 12 – Digital Building Information

- One option to have a 'single source of truth' held by government accessible by key stakeholders
 - **Owner's reps, council, state, fire authority, insurers**
- Portals – not document dumps
- AI technology – verification and detection
- Permit docs, as built, inspection records, OP, owner friendly documents, warranties/manuals, ongoing maintenance records, PEEPs
- Existing building information as well



▲ What does the road map look like?

1. Registration/licensing
2. Commissioning and annual reporting
3. Digital building information
4. Evacuation planning and PEEPs
5. Education & Enforcement
6. Owners Corporation Law Reforms



▲ Road map – Six-point plan



1. Registration/licensing schemes needs to be harmonised & improved (Qld/Tas/NRF)
2. Independent oversight – commissioning & AESMR (Qld/NSW)
3. Digital Building Information– single source of truth model



▲ Road map – Six-point plan

4. Evacuation planning – fire safety officers & Personal Emergency Evacuation Plans (PEEP)
5. Investment in education & enforcement
 - How - Digital Building Info– lodgement obligations
 - Who - Council and/or Fire authorities
 - Funding - Self funded model is possible



▲ Road map – Six-point plan

6. Owners Corporation Laws

- Statutory duties to maintain
- Mandatory training
 - **Owners Corporation Managers, Owners Corp C'tees**
 - **Facilities/Building managers**
- Sinking fund reforms to ensure repair and upgrades over life of building



▲ Thank you



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