



Department of Transport and Planning

GPO Box 2392
Melbourne, VIC 3001 Australia
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Your ref: COR 2020 003949; COR 2020 004397; COR 2020 004804; COR 2020 004839; COR 2020 0057734; COR 2020 001821

Our ref: LV1411-14292

Coroner Jamieson
Coroners Court of Victoria
65 Kavanagh Street
SOUTHBANK VIC 3006

By email only: [REDACTED]

Dear Coroner Jamieson,

FINDING INTO DEATH OF CAROL FAY SLADE; MARKO KELENTRIC; ASHLEIGH MILLS; NIGEL WILLOUGHBY; PETER COLLIN WELLS; ROSENDO ORTIZ WITHOUT INQUEST – RESPONSE TO RECOMMENDATIONS MADE

I write in response to the recommendations made by your Honour in your Findings into the deaths of the persons named above.

The Department of Transport and Planning (**Department**) extends its sympathy to the families and friends of the deceased persons. The Minister for Housing and Building, the Hon Nick Staikos MP, is responsible for the *Building Act 1993*, Building Regulations 2018 (Building Regulations), and the National Construction Code (NCC), which is given legal effect through the Building Regulations. The Building Policy and Reform division of the Department supports the Minister on these matters.

The Recommendations

Pursuant to section 72(2) of the *Coroners Act 2008* (Vic), Coroner Jamieson made the following recommendations relevant to the Department:

- (i) *With the aim of preventing like deaths and promoting public health and safety, I recommend that the Victorian Government consult with Fire Rescue Victoria and the*

Country Fire Authority to introduce improvements to the smoke alarm requirements within the Victorian Building Regulations.

- (v) *With the aim of preventing like deaths and promoting public health and safety, I recommend that the [Department] and the Australian Building Codes Board conduct research (either jointly or individually) in consultation with Fire Rescue Victoria, the Country Fire Authority and the Home Fire Sprinkler Coalition Australia into adopting home fire sprinklers to the FPAA101D technical specification within the National Construction Code (NCC), where not currently required under the NCC.*

Response to recommendation (i) – under consideration

Requirements for mandatory smoke alarms in class 1, 2, 3, 4 and 9a (residential care) buildings are set through Regulation 145 of the Building Regulations 2018. As required by Victoria's Building Regulations and the NCC, residential properties (Class 1 houses and Class 2 SOU apartments) constructed after 1 August 1997, or homes which have undergone a major renovation or extension, must have smoke alarms connected to 240-volt mains power with battery backup. Homes constructed before 1 August 1997 may have battery-operated smoke alarms. The smoke alarms must be located between each bedroom area and the rest of the house.

The Department notes the coroner's recommendation is under consideration and there is current and ongoing engagement regarding increases to the required number, and location of smoke alarms in Victorian homes involving Fire Rescue Victoria and the Country Fire Authority. Advice provided to Fire Authorities is that any proposal to update smoke alarm requirements in Victoria would be subject to a decision of Government and would require regulatory impact analysis to assess the costs and benefits of requiring additional smoke alarms to be fitted to residential properties.

Response to recommendation (v) – under consideration

In Victoria, all class 2 and 3 multi-residential buildings require sprinkler protection. However, the NCC does not require mandatory installation of sprinklers in class 1 houses and the FPAA101D standard is not designed for use in class 1 dwellings.

The FPAA101D technical specification specifically states the system is designed for "buildings that are less than 25m in effective height and contain a class 2 and/or 3 parts".

As the FPAA101D specification does not provide details on installation requirements in class 1 dwellings, the installation of a cold-water supply sprinkler in a class 1 dwelling may lead to practitioner confusion, installation challenges and potential compliance and maintenance issues, all of which will likely result in adverse consumer outcomes. Additionally, the cost to install an FPAA101D system in a class 1 building may add significantly to building costs and completion timelines.

The Department notes the coroner's recommendation is under consideration and understands there is work underway by the Fire Protection Association Australia (FPA Australia) to develop a new FPAA specification specific to class 1 dwellings. Should this standard be developed, it may be considered as a requirement for class 1 buildings as part of future NCC updates. Implementation of mandatory requirements for sprinkler protection in class 1 buildings, either nationally, or in Victoria would require regulatory impact analysis to consider the costs and benefits of the proposed approach.

The Department thanks you for raising these matters and for the ongoing work of the Coroner's Court. Should you wish to discuss any of the recommendation responses further, please do not hesitate to contact Megan Peacock, Executive Director – Building Policy and Reform at [REDACTED] .

Yours sincerely

A handwritten signature in dark ink, appearing to read 'M Peacock', with a stylized flourish at the end.

Megan Peacock
Executive Director, Building Policy, and Reform

16 / 06 / 2025