



Essential Fire Safety Measures & Fire Safety Statements

Guidelines to a Building Owner's Responsibilities

What Are Essential Fire Safety Measures?

A Fire Safety Measure

An Essential Fire Safety Measure is an item that protects life, prevents injury to a person and damage to a building in the event of a fire.

The following items are classified under the Environmental Planning and Assessment Regulation 2000 as statutory fire safety measures:-

- Access panels, doors and hoppers to fire-resisting shafts
- Automatic fail-safe devices
- Automatic fire detection and alarm systems
- Automatic fire suppression systems
- Emergency lifts
- Emergency lighting
- Emergency warning and intercommunication systems
- Exit signs
- Fire control centres and rooms
- Fire dampers
- Fire doors
- Fire hydrant systems
- Fire seals protecting openings in fire-resisting components of the building
- Fire shutters
- Fire windows
- Hose reel systems
- Lightweight construction
- Mechanical air handling systems
- Perimeter vehicle access for emergency vehicles
- Portable fire extinguishers
- Safety curtains in proscenium openings
- Smoke and heat vents
- Smoke dampers
- Smoke detectors and heat detectors
- Smoke doors
- Solid core doors
- Standby power systems
- Wall-wetting sprinkler and drencher systems
- Warning and operational signs

How Do I Know What Needs To Be Installed In My Building?

What Needs To Be Installed

This depends on the Building Code of Australia classification of the building. The Certifying Authority, whether it is Council or a private Certifier, will attach a schedule to your consent detailing the measures required.

You may also be required to install additional safety measures such as;

- the installation of bollards on the pavement outside your building to prevent exits being obstructed by parked vehicles or;
- regular fire evacuation procedures to be carried out, as they relate to childcare centres, nursing homes, high-rise office buildings, large shopping centres, large clubs, cinemas, warehouse type buildings or fire engineered building solutions.

What Is A Fire Safety Statement?

Fire Safety Statement

A Fire Safety Statement is a statutory required statement issued by or on behalf of the owner of a building that:

- Each Essential Fire Safety Measure specified has been assessed by a properly qualified person and performs to the original standard; and
- The building has been inspected by a properly qualified person and all Fire Safety Notices (applicable to Fire Isolated Stairway, Passage or Ramp) are displayed, all Fire Exits, Doors relating to Fire Exits, and Paths of Travel to Fire Exits, are not obstructed or impeded.

Form Of Fire Safety Statements

A Fire Safety Statement

A fire safety statement for a building or part of a building must contain the following information:-

- ▣ The name and address of the owner of the building or part,
- ▣ A description of the building or part (including its address)
- ▣ A list identifying:
 - ▣ each essential fire safety measure in the building or part (for an annual statement), or
 - ▣ each critical fire safety measure in the building or part (for a supplementary statement),
 - ▣ together with the minimum standard of performance specified in the relevant fire safety schedule in relation to each such measure,
- ▣ the date or dates on which essential fire safety measures were assessed,
- ▣ the date of which the building or part was inspected,
- ▣ the type of statement being issued (that is, annual or supplementary),
- ▣ a statement to the effect for an annual statement:
 - ▣ each essential fire safety measure specified in the statement has been assessed by a properly qualified person and was found, when it was assessed, to be capable of performing:
 - ▣ in the case of an essential fire safety measure applicable by virtue of a fire safety schedule, to a standard no less than that specified in the schedule, or
 - ▣ in the case of an essential fire safety measure applicable otherwise than by virtue of a fire safety schedule, to a standard no less than that to which the measure was originally designed and implemented, and
 - ▣ the building has been inspected by a properly qualified person and was found, when it was inspected, to be in a condition that did not disclose any grounds for a prosecution under Division 7.
- ▣ or for a supplementary statement:-
 - ▣ A supplementary fire safety statement is a statement issued by the owner of a building to the effect that each critical fire safety measure specified in the statement has been assessed by a properly qualified person and was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which the statement is issued.
- ▣ the date on which the statement is issued.
- ▣ A fire safety statement for the building or part of a building must be accompanied by a fire safety schedule for the building or part.

Issue Of Fire Safety Statements

Issue of Fire Safety Statements

- ▣ The required assessment and inspection must have been carried out within the period of 3 months prior to the date on which the Annual Fire Safety Statement is issued (signed)
- ▣ The choice of person to carry out an assessment or inspection is up to the owner of the building
- ▣ The person who carries out an Assessment must inspect and verify the performance of each Essential Fire Safety Measure being assessed
- ▣ Each year, the owner of a building is to ensure that the Council is given an Annual Fire Safety Statement within 12 months after the date on which the previous Annual Fire Statement was given, (Anniversary) or if a Fire Safety Certificate (New Building) has been issued within the previous 12 months, within 12 months after the Fire Safety Certificate was issued (signed)

Issue Of Fire Safety Statements (cont'd)

- ▣ As soon as practicable after an Annual Fire Safety Statement is issued, the owner of the building must give a copy of the Annual Fire Safety Statement to the NSW Fire Brigades (Locked Bag 12, PO Greenacre NSW 2190) and prominently display the Annual Fire Safety Statement in the building, e.g. noticeboard in foyer or adjacent to the fire indicator panel
- ▣ Procedures should be put in place by the owner of the building well before the due date of the statement in order to arrange the necessary inspections and repairs (if required) to enable the statement being submitted to Council by the due date.

A Fire Safety Statement form or a Fire Safety Certificate form can be downloaded from Council's Home Page www.warringah.nsw.gov.au

Do I Need to Submit to Council a Certificate for Each Essential Fire Safety Measure?

Certificates

NO – However, it is advisable that the owner retains proof of every inspection or test of each fire safety measure.

The only form that needs to be lodged with council, the nsw fire brigades and prominently displayed in the building, is the annual fire safety statement for the building, including a fire safety schedule with all the fire safety measures and their performance standards stated on the form.

What Will Happen If The Building Owner Does Not Submit An Annual Fire Safety Statement By The Due Date?

Annual Fire Safety Statement

The outcomes will vary from fines to prosecution. Council can issue Penalty Infringement Notices for numerous fire safety offences including:

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| ▣ Owner fails to display Final Fire Safety Certificate | \$100 |
| ▣ Owner fails to display Annual Fire Safety Statement | \$100 |
| ▣ Owner fails to give Annual Fire Safety Statement within 1 week | \$500 |
| ▣ Owner fails to give Annual Fire Safety Statement within 2 weeks | \$1000 |
| ▣ Owner fails to give Annual Fire Safety Statement within 3 weeks | \$1500 |
| ▣ Owner fails to give Annual Fire Safety Statement within 4 weeks or more | \$2000 |
| ▣ Owner fails to maintain Essential Fire Safety Measures | \$1500 |
| ▣ Occupier fails to display safety notice prominently | \$300 |
| ▣ Place thing obstructed path of travel to/or fire exit | \$300 |
| ▣ Interfere, cause obstruction or impede operation fire door | \$300 |
| ▣ Remove, damage or interfere with fire safety notice | \$300 |
| ▣ Obstruct path of travel to/or doors relating to fire exit | \$300 |
| ▣ Owner fails to keep egress paths clear | \$300 |
| ▣ Owner fails to provide unimpeded egress through exits | \$300 |
| ▣ Owner fails to display fire safety notice in prominent position | \$300 |

Note: There is no requirement to submit an Annual Fire Safety Statement for single dwelling houses classified 1a under the Building Code of Australia. Typically Class 1a means – single dwelling houses, terraces or villas houses. Ask one of Council's Building Surveyors if you are not sure whether this classification applies to you.

Further Information

Further Information

Should you require any further information on Fire Safety Measures, please contact Council's Fire Safety Specialist on 9942 2616 during business hours.