

ANNUAL FIRE SAFETY STATEMENTS



What are *essential fire safety measures*?

These are items such as hose reels, hydrants, exit and emergency signs and lights, portable fire extinguishers, fire and smoke alarms and the like. If they are required in a building Council will advise the building owner in a **schedule**, which lists the items, and relevant maintenance standards.

When are they required?

Generally, the Building Code of Australia specifies in what parts and/or types of buildings the essential fire safety measures are required. Council can require that they be installed in **existing buildings** under a fire safety order, in a **new building, addition, or if you apply to change the use in an existing building**. Fire Safety Certificates are required if any of these measures were installed or applied to your building from **1 July 1988**. If you are required to provide certification for these measures, Council will advise you in the form of a **fire safety order or approval** (ie, development consent or construction certificate) and include detailed information such as the installation and maintenance standards which apply.

What is a fire safety *certificate*?

This is the Certificate, which indicates that fire safety measures have been installed in the building and comply with the appropriate performance standards (usually and Australian Standard). It must be lodged with Council immediately upon completion of the fire safety upgrading, development/building work, and before the new use is commenced and/or the building is occupied.

What is a fire safety *statement*?

This is the Certificate that tells us that the essential fire safety measures installed in the building have been inspected, tested and maintained to the appropriate performance standards. It also tells us that the paths of travel and exits are clear (and that fire doors/notices on any enclosed fire stairs or passages comply). The building owner must send us a Fire Safety Statement within twelve months of the Fire Safety Certificate. You are encouraged to make a diary entry or some other form of reminder to ensure that this requirement is not overlooked.

Pro-forma certificates may be obtained from Council's web site - www.gosford.nsw.gov.au, and you only need to nominate/list the measures relating to your building. All information must be complete on the Certificate, otherwise it will be deemed not to have been lodged and it will be returned to you to complete. If you are in doubt about how to complete either Certificate, please contact Council for advice on (02) 4325-8222.

ANNUAL FIRE SAFETY STATEMENTS

Who assesses the standard of performance?

The building owner must have the inspection done by a person who is suitably qualified to assess the particular essential fire safety measures concerned. This could be a licensed tradesman like a plumber for hydraulic items, an electrician for electrical items or a specialised **fire protection services** company.

Who completes the certificates?

The **owner** or the owner's agent. It cannot be the person doing the inspection.

Who is responsible for the certification?

The **owner** must ensure that the certificates are lodged with the Council. There are substantial penalties for failing to submit any Certificate by the due date. Copies of each certificate must also be sent to:

The Commissioner of the New South Wales Fire Brigades
(Locked Bag 12, P.O. GREENACRE NSW 2190),

and

be displayed in a prominent position within the building.

What happens if I do not complete these certificates?

You may be the subject of court action or receive a penalty notice as provided for under the legislation. Severe penalties, apply for failure to give a completed certificate to Council when it is required. There is a penalty of up to \$110,000 and a further daily penalty of \$11,000 for an offence of this type.

Why is compliance important?

To ensure that essential fire safety measures are properly designed, installed, inspected and maintained to ensure that the safety of persons occupying the building is maintained.

FOR FURTHER INFORMATION:

Call in to see the duty Building Surveyor in our Customer Service Centre at 49 Mann Street, Gosford, send an email to goscity@gosford.nsw.gov.au or phone on (02) 4325 8222.

This is a guide only to the relevant legislation, which should be consulted in the event of any required detailed interpretation. The Legislation referred includes the Building Code of Australia, Environmental Planning and Assessment Act 1979 and Regulation 2000.