



## SECTION 5 - NOTES FOR COMPLETING INTERIM/FINAL FIRE SAFETY CERTIFICATE

### Note 1 Types of fire safety certificate

An **interim fire safety certificate** or a **final fire safety certificate** is required before:

- an **interim occupation certificate** can be issued to allow a partially completed new building (including an altered portion of, or an extension to, an existing building) to be occupied or used, or
- an **interim occupation certificate** can be issued to allow a change of building use for part of an existing building.

A **final fire safety certificate** is required:

- before a **final occupation certificate** can be issued to allow a new building (including an altered portion of, or extension to, an existing building) to be occupied or used, or
- before a **final occupation certificate** can be issued to allow a change of building use for an existing building, or
- in accordance with a fire safety order given by a council.

An **interim fire safety certificate** is issued for part of the building and may deal only with those essential fire safety measures appearing on the current **fire safety schedule** (see note 3) relevant to the part of the building for which an interim occupation certificate will be sought.

A **final fire safety certificate** must deal with all essential fire safety measures appearing on the current **fire safety schedule** (see note 3), subject to the following:

An **interim fire safety certificate** or a **final fire safety certificate** need not deal with those essential fire safety measures which have been the subject of some other interim/final fire safety certificate or annual fire safety statement issued within the previous 6 months, unless the person or authority responsible for determining the relevant development consent, complying development certificate, construction certificate or fire safety order, has specified otherwise in the schedule.

See also Note 3.

### Note 2 Assessment requirements

The assessment of essential Fire safety measures must have been carried out within the period of 3 months prior to the date the Fire Safety Certificate is issued.

The person who carries out the assessment:

- must inspect and verify the performance of each fire safety measure being assessed, and
- must test the operation of each new item of fire safety equipment installed in the building that is included in the current fire safety schedule.

### Note 3 Current fire safety schedule

The relevant essential fire safety measures are those specified in the current **fire safety schedule**, attached to one of the following:

- development consent for a change of building use;
- complying development certificate for the erection of a building or a change of building use;
- construction certificate for proposed building work, including building work associated with a change of building use; or
- a fire safety order.

The **fire safety schedule** will also identify the required standards of performance for each essential fire safety measure.

### Note 4 Other compulsory actions

- A copy of this certificate together with the current **fire safety schedule** must be forwarded to Council and the Commissioner of Fire and Rescue NSW (address: Locked Bag 12, P.O. Greenacre NSW 2190).
- A copy of this certificate together with the current **fire safety schedule** must be **prominently displayed** in the building.
- Under Section 125(2) of the Environmental Planning & Assessment Act 1979, an owner who fails to **provide and display** this certificate as prescribed by the Environmental Planning & Assessment Regulation 2000 is guilty of an offence and may be liable to penalty notice(s) issued under Schedule 5 of the Regulation.

## SECTION 6 - PRIVACY NOTIFICATION

- The personal information that Council has collected from you is personal information for the purposes of the Personal Information Protection Act (PPIPA) 1998. The intended recipients of the personal information are Officers within the Council data service providers engaged by the Council from time to time, any other agent/contractor of the Council and other statutory authorities. The supply of the information by you is not voluntary. Council has collected the information from you in order to process your request. You may make application for access or amendment to information held by Council. You may also make a request that Council suppresses your personal information from a public register. Council will consider any such application in accordance with the PPIPA.
- Council is to be regarded as the agency that holds the information. If you have any further enquiries concerning this matter, contact Council's Public Officer on (02) 9843 0555.
- General information about the GIPA Act is available by calling the Office of the Information Commissioner on 1800 194 210 (free call) or at its website [www.ipc.nsw.gov.au](http://www.ipc.nsw.gov.au).

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