



# FIRE SAFETY BUILDING REGULATIONS

Property owners who own buildings other than single dwellings and townhouses (known as class 1b to 9 buildings under the Building Code of Australia (BCA)) are responsible for the maintenance and certification of fire safety equipment (known as fire safety measures) to ensure the safety of those using or residing within the building.

The Hills Shire Council has a statutory duty in pursuing the fulfilment of legislative requirements governing fire safety.

## ANNUAL FIRE SAFETY STATEMENT

An annual fire safety statement is a document that is required to be submitted to Council each year by the owner of a building, to verify that each "essential fire safety measure" (items such as hose reels, sprinklers, hydrants, exit signs and emergency lighting, portable fire extinguishers, fire and smoke alarms) installed in the premises is performing to the standard outlined in the fire safety schedule (a list of all essential fire safety measures that are installed in a premises and the standard of performance required for each measure).

It also states that paths of travel and exits are unobstructed and that all relevant signage relating to exits is in place.

## WHAT IS A FIRE SAFETY SCHEDULE?

It is a list of all essential fire safety measures that are installed in a premises and the standard of performance required for each measure.

## WHEN IS AN ANNUAL FIRE SAFETY STATEMENT DUE?

An Annual Fire Safety Statement must be submitted to Council within twelve (12) months of when the fire safety certificate was issued or previous annual fire safety statement was issued.

The annual fire safety statement must certify that a competent fire safety practitioner has inspected the building, assessed the fire safety measures, and found that the measures are capable of performing to the relevant standard.

It is the responsibility of the owner to ensure Council receives the fire safety statement prior to the due date. Council as a courtesy sends a reminder out approximately 60 days before the statement is due.

## WHO CAN ASSESS THE STANDARD OF PERFORMANCE?

The building owner must have the inspection and assessment performed by a competent fire safety practitioner.

## WHO CAN COMPLETE AN ANNUAL FIRE SAFETY STATEMENT?

Annual Fire Safety statements can only be signed by the owner or on behalf of the owner.

### **IS THERE ANY COST IN SUBMITTING THE STATEMENT?**

Council charge a fee for processing this statement and an invoice will be forwarded in accordance with Councils fees and charges (see website).

### **WHAT HAPPENS IF I DO NOT SUBMIT THE FIRE SAFETY STATEMENT?**

To ensure the safety of persons occupying a building, essential fire safety measures are required to be maintained and are to perform to the standard as to which they were originally designed and installed.

Failure to comply with these requirements is an offence and Council may issue a Penalty Infringement Notice (PIN) if the essential fire safety services are not fully maintained or if the annual fire safety statement requirements are not complied with.

Council may also serve a fire safety order requiring compliance with fire safety requirements.

### **HOW DO I KNOW WHAT FIRE SAFETY MEASURES ARE REQUIRED TO BE INSTALLED IN MY BUILDING?**

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 fire safety measures be installed in existing buildings under a fire safety order. In the case of a new building, addition, or change the use of an existing building, Council or the Principal Certifying Authority (PCA) will specify what measures are required to be installed in a building.

**A FIRE SAFETY CERTIFICATE** would have been required if any of these measures were installed or applied to your building from 1 July 1988.

### **ANNUAL FIRE SAFETY STATEMENT FORM**

[Annual Supplementary Fire Safety Statement \(PDF, 113KB\)](#)

### **DOWNLOAD YOUR CURRENT STATEMENT ONLINE**

View or Download your statement using [Council's Development Application tracking](#) (select advanced search and Application Type - Certificate).

### **FIRE SAFETY CERTIFICATES**

A fire safety certificate indicates that fire safety measures have been installed and perform in accordance with the relevant Building Code of Australia and Australian Standards and must be lodged with Council or the PCA (where appropriate) immediately upon completion of:

- A fire safety order or
- A change in use and before the new use is commenced or the building is occupied for new building works or additions/alterations

If you are required to provide certification for these measures, Council or the PCA will advise you in the form of a Development Consent, construction certificate or Complying Development Certificate and include detailed information such as the installation and performance standards which apply.

Council may also issue a fire safety order which will specify the measures required to be installed in a building and their standard of performance.

### **WHO CAN COMPLETE A FIRE SAFETY CERTIFICATE?**

Fire safety certificates can only be signed by the owner or on behalf of the owner.

### **INTERIM / FINAL FIRE SAFETY CERTIFICATE FORM**

[Interim Final Fire Safety Certificate \(PDF, 165KB\)](#)

For further information visit [Environmental Planning & Assessment Regulation 2000](#) (Part 9), contact Council on (02) 9843 0555.