

# Fire Safety Statement



Part 12 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021

**Please note:**

Information to assist building owners to complete each section of the statement is provided on pages 3, 4 and 5.

## Section 1: Type of statement

This is (mark applicable box): ☒ an annual fire safety statement (complete the declaration at Section 8 of this form)  
☐ a supplementary fire safety statement (complete the declaration at Section 9 of this form)

## Section 2: Description of the building or part of the building

This statement applies to: ☒ the whole building ☐ part of the building

Address (Street No., Street Name, Suburb and Postcode)

14 Inman Road, Cromer NSW 2099

Lot No. (if known) DP/SP (if known) Building name (if applicable)

Provide a brief description of the building or part (building use, number of storeys, construction type etc)

INDUSTRIAL UNITS

## Section 3: Name and address of the owner(s) of the building or part of the building

Full Name (Given Name/s and Family Name) \*

THOMFOOLERY PTY LTD

\* Where the owner is not a person/s but an entity including a company or trust insert the full name of that entity.

Address (Street No., Street Name, Suburb and Postcode)

PO BOX 441, Dee Why NSW 2099

## Section 4: Fire safety measures

Fire safety measure	Minimum standard of performance	Date(s) assessed	APFS *
Automatic Smoke and Heat Alarms System – performance solution 8 Installation in path of travel	BCA 2016 Clause E2.2a, Specification E2.2a Interlinked in units 4 to 12 @ 21 Orlando AS3786 2014 or AS1603.3 2018 as amended by J Squared consulting engineers Rev 1324 7.5.2020.	14/05/2024	F004468A
Automatic Sprinklers Systems ( lower levels only including lift shafts, stairway and TYCO heads for shutters) performance solution 4 Fire Rating of steel beams ,5 Fire Rating of steel columns and Beams , 10 Non-Compliant spandrel vertical separation 15 Lift Control box to be access within the Fire Isolated Stair ,	BCA 2016 Specification E1.5 and AS2118.1 – 1999 as amended by J Squared consulting engineers Rev 1324 7.5.2020.	14/05/2024	F004468A

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Access Door adjacent to roller shutter (keyed for 003 NSW fire Brigade access to FIP) Performance solution 2	J Squared consulting engineers Rev 1324 7.5.2020 page 30 clause 4.8 no 4.	14/05/2024	F004468A
Building Occupant warning system Performance solution 11 – extended travel distance	BCA 2016 Clause E2.2a, Specification E2.2a and AS1670.1-2015 as modified by J Squared consulting engineers Rev 1324 7.5.2020	14/05/2024	F004468A
Carpark Vehicle entry gate to open in fire trip mode in the event of fire Performance solution 11	J Squared consulting engineers Rev 1324 7.5.2020	14/05/2024	F004468A
Emergency lighting	BCA 2016 Clause E4.2, E4.4 & AS2293.1- 2005	14/05/2024	F004468A
Exit Signs	BCA 2016 Clauses E4.5, E4.6 & E4.8 and AS2293.1 2005	14/05/2024	F004468A
Fire Alarm Monitoring System	BCA 2016 Specification E1.5 AS2118.1- 1999 AS1670.3 – 2004, as modified by Squared consulting engineers Rev 1324 7.5.2020	14/05/2024	F004468A
Fire Doors (fire Stair and lower ground fire walls)	BCA 2016 Clause C3.5, C3.7, C3.8 and AS1905.1 -2015 as modified by Squared consulting engineers Rev 1324 7.5.2020	14/05/2024	F004468A
Fire Hose Reels System performance solution 3	BCA 2016 Clause E1.4 & AS2441.1- 2005 as modified by Squared consulting engineers Rev 1324 7.5.2020	14/05/2024	F026502A
Fire Hydrant System Performance solution 1, 2,	BCA 2016 Clause E1.3 & AS2419.1 -2005 as modified by Squared consulting engineers Rev 1324 7.5.2020	14/05/2024	F004468A
Fire Seals performance solution	BCA 2016 Clause C3.15 specification C3.15 by Squared consulting engineers Rev 1324 7.5.2020	14/05/2024	F004468A
Fire Shutters Fire solution 13	BCA 2016 Clause C3.5 and AS1530.4 - 2015 as modified by Squared consulting engineers Rev 1324 7.5.2020	14/05/2024	F004468A
Fire Windows (glass blocks to unit 9 @ 21 orlando rd)	BCA 2016 Clause C3.2, C3.4 and AS1530.4-2015	14/05/2024	F004468A
Jet Fan system including detection, make up air system operation and limitations (lower ground carparking areas)	FER Stepen Grubits & Associates dated 5.5.2020 and FER by Squared consulting engineers Rev 1324 7.5.2020		
Lightweight construction including RFID tags to treated steel and protection to columns performance solution 4, 5, 6	BCVA 2016 Clause C1.8 and Specification C1.8 as modified by Squared consulting engineers Rev 1324 7.5.2020	14/05/2024	F004468A

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Management in use Plan; 1) Storage within units 1-9 2) No curtains to internal glazing of unit 1 3) Both above to @ 21 orlando		14/05/2024	F004468A
Paths of travel	EP & A ( development certification and fire safety) reg 2021 section 109	14/05/2024	F004468A
Portable Fire Extinguishers	BCA 2016 Clause E1.6 & AS2444- 2001	14/05/2024	F004468A
Wall Wetting Drenchers to northern external walls windows to unit 9 @ 21 orlando performance solution 14	BCA 2016 Clause C3.2, C3.4 & AS 2118.2 – 2010 as modified by Squared consulting engineers Rev 1324 7.5.2020	14/05/2024	F004468A
Statutory Signage	BCA 2016 clauses D2.23 ( development certification and fire safety) reg 2021 section 108	14/05/2024	F004468A
Signage stating “ opens inwards” to exit doors from class9b ( gymnasium type uses ) performance solution 9	by Squared consulting engineers Rev 1324 7.5.2020	14/05/2024	F004468A
Detailed Performance solutions		14/05/2024	F004468A
PS 1 – non- compliant radiant heat barrier E1.3 EP1.3	<ol style="list-style-type: none"> <li>1. Install signage in a contrasting colour, with lettering no smaller than 35mm in height at the hydrant booster and driveway access to the upper ground level. The sign will state “USE INTERNAL STAIR ACCESS FOR FIRE ON UPPER LEVEL”.</li> <li>2. Install signage at the hydrant at the top of the stairs stating, “USE THIS HYDRANT FOR FIRES IN SOUS 4, 5 AND 12”. In addition to that required by AS 2419.1-2005, the block plan installed is to signify the unit numbers and locations as well as attack hydrant locations. The block plan is also to include the location of street hydrants.</li> <li>3. The existing single outlet attacked hydrants on the upper level carpark are to be modified to individually controlled dual hydrant outlets.</li> <li>4. The proposed ground floor carpark pedestrian access door to Inman Road (Performance Solution 11 in this report) must be keyed to accommodate local fire brigade access to the FIP.</li> </ol>	14/05/2024	F004468A

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PS 2 Fire Hydrant Location E1.3 Ep1.3	<ol style="list-style-type: none"> <li>5. Install signage in a contrasting colour, with lettering no smaller than 35mm in height at the hydrant booster and driveway access to the upper ground level. The sign will state "USE INTERNAL STAIR ACCESS FOR FIRE ON UPPER LEVEL".</li> <li>6. Install signage at the hydrant at the top of the stairs stating, "USE THIS HYDRANT FOR FIRES IN SOUS 4, 5 AND 12". In addition to that required by AS 2419.1-2005, the block plan installed is to signify the unit numbers and locations as well as attack hydrant locations. The block plan is also to include the location of street hydrants.</li> <li>7. The existing single outlet attacked hydrants on the upper level carpark are to be modified to individually controlled dual hydrant outlets.</li> <li>8. The proposed ground floor carpark pedestrian access door to Inman Road (Performance Solution 11 in this report) must be keyed to accommodate local fire brigade access to the FIP.</li> </ol>	14/05/2024	F004468A
PS 3 Fire Hose Reel location E1.4 EP1.4	Nil requirements		
PS4 Fire rating of steel columns C1.1 Cp1 and Cp2	<ol style="list-style-type: none"> <li>1. Grout fill the subject columns entirely with the concrete grout mix in SOU's 2, 4 and 12 to achieve the required FRL of 60/-/-/. The grout mix must be equal to concrete block core fill mix with a minimum strength of 20MPa. This can be done by a 40mm hole through the wall of the columns approximately 10mm down from the top below the base plate. The column is to be filled with a flowable non shrink structural grout ensuring the entire column to be filled from the base up to the 40mm penetration. A 5mm hole can be drilled at the base to ensure the flowable ground can be observed to reach the base of the column. Once the grout has cured a more pliable mix of non-shrink structural grout can be packed through the 40mm hole to fill the gap between the previously added flowable ground and the underside of the top base plate.</li> <li>2. Apply intumescent paint the C channel beams spanning from the existing structural precast walls to the corner columns in turn supporting the corner of the slab / roof above in SOU's 2,4 and 12. Application and certification is to be supplied by an intumescent paint approved applicator confirming the FRL of 60/-/- has been achieved.</li> <li>3. The intumescent paint system is to be listed on the fire safety schedule for annual inspection and intumescent paint RFID tags are to be installed in the corner of each beam coated.</li> <li>4. The sprinkler system installed within the lower ground floor SOU's is to be extended to cover the entire ground floor area. It is to be installed in compliance with AS2118.1-1999.</li> </ol>	14/05/2024	F004468A
PS5 Fire rating of steel columns C1.1 Cp1 and Cp2	<p>Steel protective frames or similar are to be installed around the columns to a height of no less than 1.2m in order to provide protection from impact.</p> <ol style="list-style-type: none"> <li>4. The intumescent paint system is to be listed on the fire safety schedule for annual inspection and intumescent paint RFID tags are to be installed in the corner of each column coated.</li> <li>6. The roller shutters separating the fire compartments are to be configured to shut upon activation of the sprinkler system.</li> <li>8. The pedestrian entry doors from SOU 3 parking area and SOU 2 into the main carpark area are to be fire rated achieving and FRL of no less than -/240/30.</li> <li>9. Service penetrations through these fire rated walls are to be protected via fire rated collars achieving a minimum of 4 hours protection</li> </ol>	14/05/2024	F004468A

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PS6 Reduced FRL to mezzanine floors Table 3, Sec C1.1	<ol style="list-style-type: none"> <li>1. Obtain a certificate from an intumescent paint applicator confirming the coverage on the steel columns and beams under the mezzanine in SOU 2 has been installed in accordance with manufacturers specification achieving an FRL of 120/-/-/.</li> <li>2. Installation of rockwool batts between the floor joists and one 1 layer of 16mm fire rated plasterboard to the underside of the floor joist providing 60minutes of protection. All areas where the FRPB abuts steel members or adjacent walls must be sealed with a fire rated mastic similar to Bostik Fireban One.</li> <li>3. Any penetrations in the fire rated plasterboard must be tightly cut and sealed with Bostik Fireban One.</li> </ol>	14/05/2024	F004468A
PS7 – reduce fire rating to roof Cl 3.5 Spec C1.1 Cp1 and Cp2	<ol style="list-style-type: none"> <li>1. The sprinkler system installed within the lower ground floor SOU's is to be extended to cover the entire ground floor area. It is to be installed in compliance with AS2118.1-1999.</li> <li>2. The building occupant warning system is to be certified to AS 1670.1-2015 to ensure occupants of the upper level industrial units are warned of a sprinkler activation on the lower level tenancies.</li> </ol>	14/05/2024	F004468A
PS 8 Installation in paths of travel D2.7 Dp4	<ol style="list-style-type: none"> <li>1. Install an AS3786 - 2014 smoke alarm located on the ceiling of the upper level SOU's (4 thru 12) and interlink with an additional smoke alarm in the enclosed mezzanine office areas to notify occupants of a fire occurrence in either area. Where subject to spurious signals these alarms may be changed to heat sensing alarms in accordance with AS 1603.3 - 2018</li> </ol>	14/05/2024	F004468A
PS 9 Door swing against the direction of egress D2.20 and DP4	<ol style="list-style-type: none"> <li>1. Installation of stay open latches (similar to parrot beak type) on all SOU exit doors to enable the door to be locked in the open position on engagement by the first evacuating occupant.</li> <li>2. Signage to be installed on the internal face of the exit door of SOU 14 gymnasium contrasting colours no smaller than 40mm in height stating, "OPENS INWARDS".</li> </ol>	14/05/2024	F004468A
PS 10 non complaint vertical separation C2.6 CP2	<ol style="list-style-type: none"> <li>1. The sprinkler system installed within the lower ground floor SOU's is to be extended to cover the entire ground floor area. It is to be installed in compliance with AS2118.1-1999.</li> </ol>	14/05/2024	F004468A

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PS11 Extended travel distance D1.4 DP4, EP2.2	<ol style="list-style-type: none"> <li>1. The sprinkler system installed within the lower ground floor SOU's is to be extended to cover the entire ground floor area. It is to be installed in compliance with AS2118.1-1999.</li> <li>2. Extension of the proposed fire sprinkler system in the lower ground floor carpark area to be further extended into the stairwell accessing the upper ground floor. A fast response head is to be installed under the landing above the lift control box.</li> <li>3. The installation of a 200 x 300mm fire rated vision panel in the existing self-closing fire door to the stairs accessing the upper ground floor carpark level</li> <li>4. The installation of an additional outward swinging solid core self-closing door adjacent to the main exit roller door to Inman road on the lower ground floor level. The door must not be locked from inside and be provided with compliant door hardware. Exit signage in accordance with AS2293.1 must be installed and a pathway on the external connection with path or road on Inman Road.</li> <li>5. The main metal grille entry gate access to the carpark is to be configured to open in fire mode and provided with battery backup to operate in a power failure.</li> <li>6. Provide the fire doors (x2) in fire walls and door to egress stairway with signage on both sides in accordance with the requirements of BCA clause D2.23 stating "FIRE SAFETY DOOR DO NOT OBSTRUCT DO NOT KEEP OPEN"</li> <li>7. Proposed jet fans within the lower round floor carpark are to be installed in accordance with Part 8 - Trial Design of Fire Engineering Report 2020/ 147 R1.1 by Stephen Grubits and Associates dated 5/5/20.</li> <li>8. The proposed fire detectors within the jet fans (as per report mentioned above) must be connected to the buildings fire brigade monitoring and the building occupant warning system.</li> </ol>	14/05/2024	F004468A
PS 12 reduced egress widths D1.6 DP6	Nil requirements		

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PS 13 Downgrade of construction type Spec C1.1 Cp1, Cp2	<ol style="list-style-type: none"> <li>1. The sprinkler system installed within the lower ground floor SOU's is to be extended to cover the entire ground floor area. It is to be installed in compliance with AS2118.1-1999.</li> <li>2. The sprinkler system is to be connected to a fire alarm communication link in accordance with AS 1670.3 - 2004</li> <li>3. The industrial units on the upper level are to be provided with interlinked smoke alarms in the main area and office area. Where subject to spurious signals these alarms may be changed to heat sensing alarms in accordance with AS 1603.3 – 2018</li> <li>4. Roller shutters on the lower ground floor shall be non-perforated to delay smoke spread from the fire affected to the non-fire-affected units. The height of the roller shutter openings on the lower ground floor units shall not be greater than 1m from the underside of the upper ground floor slab above. Roller shutters shall be provided with Tyco WS fire sprinkler heads on the carpark side (non-sprinkler protected side) of the roller shutter to prevent fire spread into the warehouse from the adjacent tenancies.</li> <li>5. The use of each tenancy inclusive of the volume, height and content of stored goods will be managed by the landlord to ascertain whether or not any tenancy is considered to be an occupancy of excessive hazard as determined by BCA Clause E1.5 and table E1.5. Should the aggregate volume of storage across all tenancies on the upper ground floor exceed 1,000m<sup>3</sup> and storage in excess of 4m in height, an assessment will need to be undertaken to determine whether or not fire sprinklers are required to be installed within the affected tenancy. Management in use policies shall include as a minimum, line marking at a height of 4m on the walls of the affected units, associated signage on the walls and annual inspection forming part of the fire safety certificate for the building.</li> </ol>	14/05/2024	F004468A
PS 14 Protection of northern elevation openings within 3m of boundary C3.2, C3.4 Cp2	<ol style="list-style-type: none"> <li>1. Install internal fire sprinkler heads complying with AS2118.1, to protect the affected fixed glazed windows against fire spread to or from the adjoining building as per figure 24.</li> <li>2. The following measure must be included in the Fire Safety Schedule for the building to be checked annually as part of the preparation of the Annual Fire Safety Statement: <ul style="list-style-type: none"> <li>• No curtains or window coverings are to be installed to the internal face of the windows on the northern façade.</li> </ul> </li> </ol>	14/05/2024	F004468A
PS 15	<ol style="list-style-type: none"> <li>1. The fire sprinkler system is to be extended into the stairwell accessing the upper ground floor. A fast response head is to be installed under the landing above the lift control box. Furthermore, sprinkler protection to the lift shaft shall be provided in accordance with the requirements of AS2118.1.</li> <li>2. The installation of a 200 x 300mm fire rated vision panel in the existing self-closing fire door to the stairs accessing the upper ground floor carpark level.</li> </ol>	14/05/2024	F004468A

\* See notes on page 4 about how to correctly identify an accredited practitioner (fire safety) (APFS). Also, new rows can be added if required.

## Section 5: Inspection of fire exits and paths of travel to fire exits (Part 15)

Part of the building inspected	Date(s) inspected	APFS *
WHOLE OF BUILDING	14/05/2024	F004468A



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\* See notes on page 4 about how to correctly identify an accredited practitioner (fire safety) (APFS). Also, new rows can be added if required.

## Section 6: Name and contact details of each accredited practitioner (fire safety) (APFS)\*

Full name (Given Name/s and Family Name)	Address	Phone	APFS*	Signature
Rodger Fogarty	B3/15 Narabang Way, Belrose NSW 2085	02 9228 7555	F004468A	
Craig Price	B3/15 Narabang Way, Belrose NSW 2085	02 9228 7555	F026502A	

\* Where applicable – see notes on page 4 for further information.

## Section 7: Details of the person making the declaration in section 8 or 9 #

Full name (Given Name/s and Family Name)

Nicky Wessels

Organisation (if applicable)

Thomfoolery Pty Ltd

Title/Position (if applicable)

Director

Address (Street No, Street Name, Suburb and Postcode)

PO Box 4068 Balgowlah Heights NSW 2093

Phone

0410 595 982

Email

Nixw010@gmail.com

# The person making the declaration in section 8 or 9 must not be an APFS listed in section 6 or their employer/employee or direct associate.

## Section 8: Annual fire safety statement declaration

I, [Click here](#)

(insert full name) being the: ☐ owner ☐ owner's agent

declare that:

- a) each essential fire safety measure specified in this statement has been assessed by an accredited practitioner (fire safety) as capable of performing:
- i. for an essential fire safety measure specified in the fire safety schedule, to a standard no less than that specified in the schedule, or
  - ii. for an essential fire safety measure applicable to the building but not specified in the fire safety schedule, to a standard no less than that to which the measure was originally designed and implemented, and
- b) the building has been inspected by an accredited practitioner (fire safety) and was found, when it was inspected, to be in a condition that did not disclose grounds for a prosecution under Part 15 of the Regulation.

Owner/Agent Signature

Date issued

18/07/2024

## Section 9: Supplementary fire safety statement declaration

I, [Click here](#)

(insert full name) being the: ☐ owner ☐ owner's agent

declare that each critical fire safety measure specified in this statement has been assessed by an accredited practitioner (fire safety) as capable of performing to at least the standard required by the current fire safety schedule for the building.

Owner/Agent Signature

Date issued

Note:



# Fire Safety Statement



Information to help building owners complete the Fire Safety Statement form

- A fire safety statement for a building must not be issued unless the statement is accompanied by a fire safety schedule for the building in accordance with the Regulation.
- The building owner(s) are also responsible for ensuring that essential fire safety measures are maintained in accordance with section 81 of the Regulation. An agent cannot be made responsible for this requirement.

# Fire Safety Statement

Information to help building owners complete the Fire Safety Statement form



## **Please note:**

**The following information has been provided to help building owners complete the fire safety statement template and does not comprise part of the form. The following pages do not have to be displayed in the building and need not be submitted to the local council and the Commissioner of Fire and Rescue NSW.**

## **General**

- Please print in CAPITAL LETTERS and complete all relevant sections in full.
- A reference to 'the Regulation' is a reference to the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.
- An 'APFS' is an accredited practitioner (fire safety) as defined in the Dictionary in the Regulation.
- The completed fire safety statement form must be submitted to both the local council and Fire and Rescue NSW.
- Please contact your local council for further information about how to submit the completed statement.
- Completed statements need to be emailed to Fire and Rescue NSW at [afss@fire.nsw.gov.au](mailto:afss@fire.nsw.gov.au). For further information about this process, please visit the 'Lodge a fire safety statement' page at [www.fire.nsw.gov.au](http://www.fire.nsw.gov.au).
- As soon as practicable after issuing the fire safety statement, the building owner must ensure a copy (together with a copy of the current fire safety schedule) is displayed in a prominent location within the building.
- Further information about building fire safety is available on the 'Fire safety in buildings' page of the Department's website at [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au).

## **Section 1: Type of statement**

- Mark the applicable box to identify if the statement being issued is an annual fire safety statement or a supplementary fire safety statement.
- An annual fire safety statement is issued under Part 12 of the Regulation and relates to each essential fire safety measure that applies to the building.
- A supplementary fire safety statement is issued under Part 12 of the Regulation and relates to each critical fire safety measure that applies to the building.

## **Section 2: Description of the building or part of the building**

- Mark the applicable box to identify whether the statement relates to the whole building or part of the building.
- In addition to the address and other property identifiers, a brief description of the building or part is to be provided. This could include the use(s) of the building (e.g. retail, offices, residential, assembly, carparking), number of storeys (above and/or below ground), construction type or other relevant information.
- If the description relates to part of a building, the location of the part should be included in the description.

## **Section 3: Name and address of the owner(s) of the building or part of the building**

- Provide the name and address of each owner of the building or part of the building.
- The owner of the building or part of the building could include individuals, a company, or an owner's corporation.

## **Section 4: Fire safety measures**

- The purpose of this section is to identify all of the fire safety measures that apply to a building or part of a building.
- The statutory fire safety measures are listed in section 79 of the Regulation.
- Fire safety measures include both essential fire safety measures and critical fire safety measures. They include items such as portable fire extinguishers, fire hydrants, fire sprinklers, fire detection and alarm systems and lightweight construction.
- Essential fire safety measures are those fire safety measures which are assessed on an annual basis, while critical fire safety measures are those which are required to be assessed at more regular intervals (as detailed on the fire safety schedule). These terms are defined in the Dictionary in the Regulation.
- For annual fire safety statements, the table in section 4 must list each of the essential fire safety measures that apply to the building or part of the building and the relevant standard of performance. The date(s) on which these measures were assessed and inspected must be within the 3 months prior to the date the annual fire safety statement is issued.

- For supplementary fire safety statements, the table in section 4 must list each of the relevant critical fire safety measures that apply to the building or part and the relevant standard of performance. The date(s) on which these measures were assessed and inspected must be within 1 month prior to the date the supplementary fire safety statement is issued.
- The accreditation number of the APFS who assessed a fire safety measure listed in section 4 must be nominated against the relevant measure(s) in the column titled 'APFS'. If the APFS is not required to hold accreditation, the name of the APFS must be listed. Further information relating to the accreditation of practitioners is provided at section 6.

### Section 5: Inspection of fire exits and paths of travel to fire exits (Part 15)

- This section applies only to an annual fire safety statement.
- The purpose of this section is to identify that an APFS has inspected the fire safety notices, fire exits, fire exit doors and the paths of travel to fire exits in the building or part of the building and found there has been no breach of Part 15 of the Regulation.
- The table in section 5 must detail the parts of the building that were inspected. The date(s) of the inspection(s) must be within the 3 months prior to the date the annual fire safety statement is issued.
- The accreditation number of the APFS who inspected the whole or part of the building listed in section 5 must be nominated against the relevant part in the column titled 'APFS'. Further information relating to the accreditation of practitioners is provided at section 6.

### Section 6: Name and contact details of each accredited practitioner (fire safety) (APFS)

- An APFS is a person engaged by the building owner(s) to undertake the assessment of fire safety measures in section 4 and the inspection of the buildings exit systems in section 5 (for an annual fire safety statement).
- The purpose of this section is to record the name, address and contact details of each APFS who assessed a fire safety measure listed in section 4 or inspected the building or part of the building as specified in section 5.
- Each APFS listed in the table must also sign the fire safety statement. Alternatively, an APFS could provide the building owner or agent with a separate signed document to indicate their assessment of the fire safety measure/s and the relevant standard of performance. In addition, where the relevant practitioner that inspected the matters in section 5 did not sign the fire safety statement, they would need to address section 5 in a separately signed document.
- A building owner must select an APFS from a register of practitioners accredited under an approved industry accreditation scheme. The accreditation number of each relevant APFS must be listed on the form.
- If the building owner has determined the competence of a person to act as a APFS because the Commissioner for Fair Trading is satisfied there are no practitioners accredited under an industry approved accreditation scheme to assess a specific fire safety measure and has authorised the owner to do so, there is no requirement to include an accreditation number on the form.
- Further information about the approved industry accreditation schemes can be found on the 'Fire safety practitioners' page of the NSW Fair Trading website at [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au).

### Section 7: Details of the person making the declaration in section 8 or 9

- The purpose of this section of the form is to detail the name, address and contact details of the person who is making the required declaration i.e., the person who completes and signs section 8 or section 9 of the form. This could be the owner(s) of the building or a nominated agent of the owner(s).
- Where a person makes the required declaration on behalf of an organisation (as the owner of the building), the name of the organisation and the title/position of the person must be provided. The person making the required declaration as a representative of the organisation must have the appropriate authority to do so.
- Where a person makes the required declaration on behalf of the owner(s) (as the owner's agent), this person must have the appropriate authority from the building owner(s) to undertake this function.
- In the case of a building with multiple owners, one owner may make the required declaration, however each of the other owners must authorise that owner to act as their agent.
- The person making the required declaration must not be an APFS who is listed in section 6 or their employer/employee or direct associate. This recognises the different roles and responsibilities for building owner(s) and the APFS in the fire safety statement process. This is important because the Regulation makes building owners responsible for declaring that fire safety measures have been assessed and the building inspected (for the purposes of section 5) by an APFS. This ensures that building owners, who are ultimately responsible, remain engaged in the fire safety statement process.

- In addition, only the building owner(s) can determine that a person is competent to perform the fire safety assessment functions where there is no person who holds accreditation.

## Section 8: Annual fire safety statement declaration

- The person completing this section is the person who is making the required declaration for the annual fire safety statement in accordance with section 88 of the Regulation and is the same person as detailed in section 7. The person making this required declaration must identify if they are the owner or the owner's agent.
- **In making the required declaration, the building owner or agent is not declaring that each fire safety measure meets the minimum standard of performance, but rather that each fire safety measure has been assessed, and was found by an APFS to be capable of performing to that standard, as listed in section 4. In performing this function, the building owner or owner's agent could obtain documentation from each APFS to verify that the standard of performance has been met, prior to completing the form.**
- The person who makes the required declaration by completing section 8 or section 9 of the form must not be an APFS who was involved in the assessment of any of the fire safety measures, or inspection of the building for the purposes of the statement, or their employer/employee or direct associate. This is to ensure that building owners, who are ultimately responsible, remain engaged in the fire safety statement process.

## Section 9: Supplementary fire safety declaration

- The person completing this section is the person who is making the required declaration for the supplementary fire safety statement in accordance with section 90 of the Regulation and is the same person as detailed in section 7. The person making this required declaration must identify if they are the owner or the owner's agent.
- The information provided above in relation to section 8 on what the owner is declaring also applies to a supplementary fire safety statement.

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