

# 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)

277 MONA VALE ROAD, TERRY HILLS

Lot No. (if known)

DP/SP (if known)

Building name (if applicable)

FLOWER POWER

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

CLASS 6 RETAIL

Rise in storeys: 1 / Stories below ground: 0

Construction: TYPE C

## 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) \*

\* 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)

## Section 4: Fire safety measures

| Fire safety measure  | Minimum standard of performance             | Date(s) assessed | APFS *   |
|--|---|------------------|----------|
| Emergency lighting<br>- Installed in 2006 building extension only (cash register area).          | Clause E4.2 BCA, AS2293.1 - 1998            | 27/01/2023       | F043485A |
| Exit signs<br>- Installed in 2006 building extension only (cash register area).                  | Clauses E4.5, 4.6, 4.8 BCA, AS2293.1 - 1998 | 27/01/2023       | F043485A |
| Hose reel systems<br>- Installed in 2006 building extension only (cash register area).           | clause E1.4 BCA, AS2441-1988                | 27/01/2023       | F043485A |
| Paths of Travel  | Division 7 Clause 186 EPA Regulations 2000  | 27/01/2023       | F043485A |
| Portable fire extinguishers<br>- Installed in 2006 building extension only (cash register area). | Clause E1.6 BCA, AS2444-2001                | 27/01/2023       | F043485A |

\* 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 building                 | 27/01/2023        | F043485A |

277 MONA VALE ROAD, TERRY HILLS

# Fire Safety Statement



## Part 15 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021

\* 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 |
|--|---|---------|----------|-----------|
| Warren Armstrong                         | Building G, 350 Parramatta Rd,<br>Homebush West | 133 166 | F043485A |           |

\* 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)

FRANCESCA MASTROIANI

Organisation (if applicable)

Flower Power Pty LTD

Title/Position (if applicable)

Internal Auditor

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

Phone

91312334

Email

F.Mastroiani, flowerpower.com.au

# 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:

- each essential fire safety measure specified in this statement has been assessed by an accredited practitioner (fire safety) as capable of performing:
  - for an essential fire safety measure specified in the fire safety schedule, to a standard no less than that specified in the schedule, or
  - 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
- 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

8/3/2023

### 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

8/3/2023

#### Note:

- 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.

# Fire Safety Statement

Information to help building owners complete the Fire Safety Statement form



- 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.

# Fire Safety Statement

Information to help building owners complete the Fire Safety Statement form



- 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.

---

© State of New South Wales through Department of Planning and Environment 2022. Information contained in this publication is based on knowledge and understanding at the time of writing, June 2022, and is subject to change. For more information, please visit [dpie.nsw.gov.au/copyright](https://dpie.nsw.gov.au/copyright)

---

## Annual Assessment Report

### Essential Fire Safety Measures

277 Mona Vale Road, Terrey Hills

Business Name:



Business Contact:

Ms. Fran Mastroieni  
([f.mastroieni@flowerpower.com.au](mailto:f.mastroieni@flowerpower.com.au), 9601 4188)

Wormald APFS:

Warren Armstrong  
([warmstrong@wormald.com.au](mailto:warmstrong@wormald.com.au) 0499 699 804)

Advised AFSS

Council Due Date:

Issue Date:

24th February 2023

Report No:

4294709

# Contents

|  |                                     |
|--|-------------------------------------|
| <b>EXECUTIVE SUMMARY .....</b>                                       | <b>3</b>                            |
| <b>SECTION 1      PURPOSE, PROCESS, SCOPE &amp; DISCLAIMER.....</b>  | <b>4</b>                            |
| 1.1      REPORT PURPOSE.....   | 4                                   |
| 1.2      ASSESSMENT SCOPE .....                                      | 4                                   |
| 1.3      DISCLAIMER AND RESERVATION OF RIGHTS.....                   | 4                                   |
| 1.4      ADEQUACY OF OBSOLETE PERFORMANCE STANDARDS.....             | 4                                   |
| 1.5      ACCESS.....   | 4                                   |
| 1.6      TERMINOLOGY .....   | 5                                   |
| <b>SECTION 2      BUILDING DESCRIPTION.....</b>                      | <b>6</b>                            |
| 2.1      DISPLAY OF THE ANNUAL FIRE SAFETY STATEMENT.....            | 6                                   |
| <b>SECTION 3      ESSENTIAL FIRE SAFETY MEASURE ASSESSMENT .....</b> | <b>6</b>                            |
| 3.1      PRIORITIZING ISSUES .....                                   | 6                                   |
| 3.2      MEASURES NOT ASSESSED.....                                  | 6                                   |
| 3.3      ESSENTIAL FIRE SAFETY MEASURE ASSESSMENT .....              | 7                                   |
| <b>SECTION 4      CONCLUSION .....</b>                               | <b>9</b>                            |
| <b>FIRE SAFETY STATEMENT .....</b>                                   | <b>ERROR! BOOKMARK NOT DEFINED.</b> |

**Executive Summary**

Wormald have undertaken an inspection and assessment of the quoted essential fire safety measures within the building. The reports purpose is to advise of the systems design standard and its ability to perform in the event of a fire. The main issues that were revealed are;

| CUSTOMER INFORMATION                              |                                  |   |
|---|----------------------------------|---|
| Building Assessed                                 | 277 Mona Vale Road, Terrey Hills |   |
| Report Number                                     | 4294709                          |   |
| Date  | 24th February 2023               |   |
| Part/Whole of building assessed (If part specify) | Whole / Part                     |   |
| Assessed Essential Services                       |                                  |   |
| Status  | Essential Fire Safety Measure    | Main issues                               |
| Minor Works Required                              | Emergency lighting               | 6-monthly discharge test report required. |
| Minor Works Required                              | Exit signs                       | 6-monthly discharge test report required. |
| Satisfactory                                      | Hose reel systems                | ---                                       |
| Satisfactory                                      | Paths of Travel                  | ---                                       |
| Satisfactory                                      | Portable fire extinguishers      | ---                                       |

**Statement**

I, Warren Armstrong of Wormald Certify on the 27/01/2023 that:-

The essential fire safety measures specified above have been assessed by an Accredited Practitioner (Fire Safety) as per the Environmental Planning & Assessment (Development Certification and Fire Safety) Regulation 2021. This audit report details deficiencies relating to each measure that need to be rectified prior to submission of an annual fire safety statement. The information contained in this certificate needs to be read in conjunction with this report and is to the best of my knowledge and belief, true and accurate.

Once the Annual Fire Safety Statement can lawfully be signed and submitted to the relevant authorities, a copy together with the relevant fire safety schedule must be forwarded to Council and emailed to Fire and Rescue NSW ([afss@fire.nsw.gov.au](mailto:afss@fire.nsw.gov.au)).



**Warren Armstrong**

**Accredited Practitioner (fire safety)**

**Wormald Assessment & Engineering**



## Section 1 Purpose, Process, Scope & Disclaimer

### 1.1 Report Purpose

New South Wales legislation recognises the performance of fire safety measures in a building is paramount to life safety and property protection. For a system to function, a degree of maintenance is required, however, to determine if a system is capable of performing to its design standard (as required by the Regulations), an assessment of its design, installation and maintenance/testing regime is needed. Further, the building needs to be assessed to determine if it impacts on the systems performance and any changes to the building has not reduced its effectiveness. Changes to the building/system can range from replacement of a part to building additions/alterations.

Occupants within a building have an expectation that all installed fire safety measures will perform (E.g. occupants expect smoke alarm will advise them of a fire) and the egress system in a building is adequate. Failure or reduced effectiveness of a measure and/or inadequate egress can result in significant building damage and/or occupant harm. Due to the reliance placed on a measure and egress by the building's occupants, NSW legislation the Regulations **holds the owner responsible** for their performance. Accordingly, owners/owners representative **MUST** certify that all essential fire safety measures have been assessed by an Accredited Practitioner (Fire Safety) and will perform to the installed design standard. Further, the Accredited Practitioner (Fire Safety) has inspected the buildings egress system and did not find grounds for prosecution under Sections 108 & 109 of the Regulations. The Regulations require the assessment and certification occur every 12 months. Such certification occurs using an Annual Fire Safety Statement.

This report provides comfort to the building's owner and occupants that the essential fire safety measures have been assessed and once any matters raised have been addressed, the system will perform to its design standard.

### 1.2 Assessment Scope

The assessment is based on a level two (2) audit outlined in AS 4655—2005 (Fire safety audits) and is supplied in good faith. The assessment is limited to the visual condition of the quoted essential fire safety measures and to the best of the inspector's knowledge on the day of inspection, thus a definitive list of issues cannot be guaranteed. Unless specifically noted, this assessment does not include systems or part thereof that was not in plain view at the time of inspection, (e.g. unexposed, concealed and/or inaccessible areas are not included). All reasonable efforts have been made to access common occupied and concealed spaces throughout the building/site to assess the services contained. Further, the fire resistance level (FRL) of building elements is beyond the scope unless specifically stipulated.

System testing / maintenance reports need to be read in conjunction with this report. Any works carried out from this assessment need to comply with today's standard of performance (Australian Standard and/or BCA) unless specifically stipulated.

### 1.3 Disclaimer and Reservation of Rights

This document has been prepared by Wormald for the purpose originally agreed between Wormald and its client and may only be relied upon by the client for whom it was prepared and for the original purpose. Wormald accepts no liability for any loss or damage howsoever incurred by any third party as a result or arising out of reliance upon this document by any party other than Wormald's client for any purpose. Prior to the use of any information contained in this document it is the user's responsibility to verify the exact locations, quantities and dimensions of all items depicted or contained in this document.

The client acknowledges that all information and intellectual property relating to this document (including but not limited to patents, designs, drawings, instruction booklets, specifications, circuit drawings, componentry, trade secrets, trademarks and copyright in such information and intellectual property (Proprietary Information) and all right, title and interest therein) are the sole property of or licensed by Wormald and the client shall gain no right, title or interest in the Proprietary Information whatsoever.

The client specifically acknowledges Wormald's exclusive rights to ownership of any modification, translation or adaptation of the Proprietary Information and any other improvement or development based thereon, whether developed, supplied, installed or paid for by or on behalf of the client or otherwise. The client must not and must not permit any person reasonably within its control nor procure any person to modify, copy, clone or reverse engineer the design, or copy, modify or decompile any of Wormald's other documentation relating to this document. This note is an integral part of this document.

The following report should not be mistaken as a design specification where repairs are complex. Clarification with the report's author may be needed and is recommended to ensure the intent of the defects is clarified and the right corrective action is taken. Further calculations and/or design alterations may be required to ensure compliance is maintained to the appropriate standard.

### 1.4 Adequacy of Obsolete Performance Standards

Some performance standards could be inadequate even though the item may be compliant to the obsolete legislation or Australian Standard. These documents have been amended to address shortfalls or further improve the systems. The building owner may be able to satisfy their legal obligations under the Environmental Planning and Assessment Act 1993 and its 2021 Regulation but should also consider their position in relation other legislation.

### 1.5 Access

Our site contact at the time of inspection was on-site staff.

## 1.6 Terminology

**The BCA;** The Building Code of Australia is a code for the design and construction of buildings throughout Australia.

**NCC – National Construction Code** – incorporates the Building Code of Australia (BCA) and the Plumbing Code of Australia (PCA) into a single code.

**Ordinance 70** The code for design and construction of buildings throughout New South Wales, which preceded The Building Code of Australia

**The Regulations;** The Environmental Planning & Assessment (Development Certification and Fire Safety) Regulation 2021 is state legislation which governs various aspects of buildings throughout NSW.

**The Statement;** The Annual Fire Safety Statement is a statement required by the Environmental Planning & Assessment (Development Certification and Fire Safety) Regulation 2021. It is issued annually by the owner & confirms that the essential fire safety measures have been assessed by a competent fire safety practitioner and was found to be capable of performing to a standard no less than that to which the measure was originally designed and implemented. Further, the building was found to be in a condition that did not disclose any grounds for a prosecution under Section 109.

**FRL:** Fire-Resistance Level means the ability of an element to resist the effects measured in minutes for the following criteria— structural adequacy/ integrity/ insulation. A dash means that there is no requirement for that criterion. E.g., 90/-/- means there is no requirement for an FRL for integrity and insulation.

**Alternative Solution** means a Building Solution, which complies with the Performance Requirements other than by reason of satisfying the deemed-to-satisfy provisions.

**AP(FS):** - 'Accredited Practitioner (Fire Safety)' as defined by Building and Development Certifiers Regulation 2020 [NSW] & required by the Environmental Planning & Assessment (Development Certification and Fire Safety) Regulation 2021

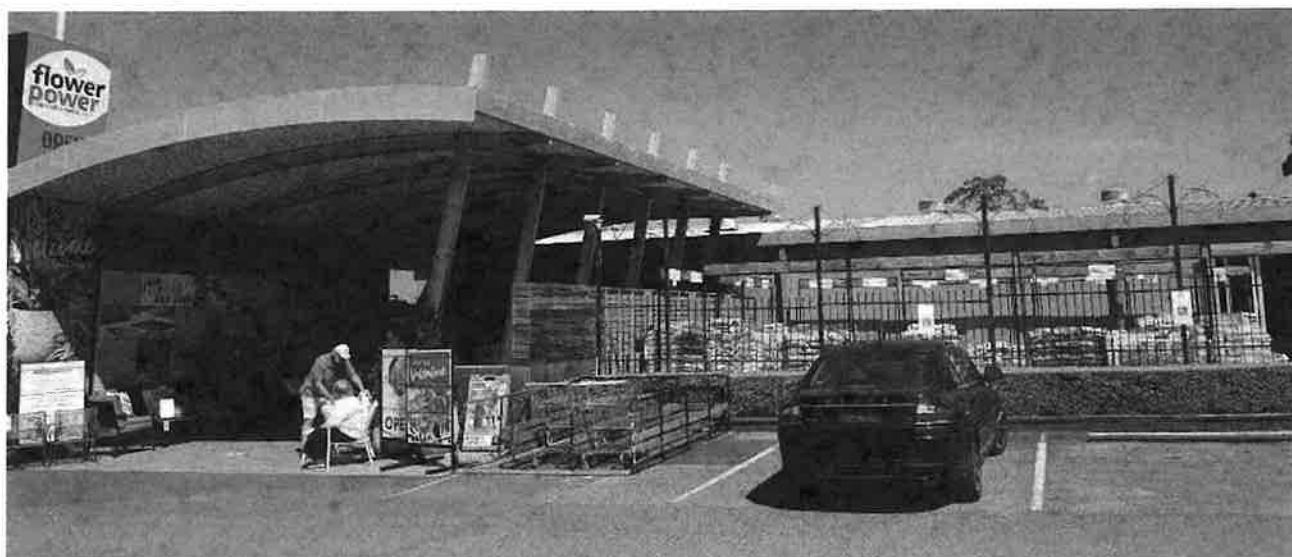
**FIP:-** Fire Indicator Panel.

**DTS:** - Deem to Satisfy

**EPC- Emergency** Planning Committee

**YAH:** - You are here on evacuation diagrams

## Section 2 Building Description



The era the building was extended is estimated to be in the 2000's (BCA). The building can be described as follows as per the Building Code of Australia (the BCA).

|   |  |
|---|--|
| Rise in storeys   | One  |
| Number of levels contained                                | One  |
| Building classification/s                                 | Class 6 (shop/retail premises)                   |
| Effective height  | Less than 12 metres                              |
| Floor area  | Between 500m <sup>2</sup> and 2000m <sup>2</sup> |
| Type of fire resisting construction (required by the BCA) | Type C   |

### 2.1 Display of the Annual Fire Safety Statement

Clause 177 of the Environmental Planning & Assessment Regulations (2000) requires the owner of the building to have a "copy of the statement (together with a copy of the current fire safety schedule) to be prominently displayed in the building." Council and the Fire and Rescue NSW typically check for the statement when visiting a building. At the time of inspection the statement & schedule was prominently displayed but out of date.

## Section 3 Essential Fire Safety Measure Assessment

### 3.1 Prioritizing Issues

The issues raised in Section 3 can be prioritised into 3 categories;

#### ACTIONS REQUIRED:

Identifies a defect which has caused a system to be non-compliant with the relevant installation standard/code. Action required items should be rectified prior to this system being endorsed.

#### RECOMMENDATION:

Identifies an issue(s), which the owner/agent should consider prior to submitting a completed certificate to the relevant authorities, (i.e. passes at this time, however, requires remedial work for continued/future compliance or is an item that due to its age of installation should be considered to provide an improved protection and/or reduced risk to occupants).

#### OBSERVATION:

In keeping with our Duty of Care, we have identified an issue(s), which is/are outside the agreed/contracted scope of this report and is maintained and assessed by other service providers or client.

*(Any comments made should not be construed as a full evaluation of this item but only a comment relating to a specific facet or location – we would recommend further investigation of this item(s) to ensure the continued safety of persons within this premise.)*

### 3.2 Measures NOT assessed

The following installed measures were noticed in the building and require assessment by the relevant other assessor. This list may not be definitive;

- Automatic fail-safe devices (automatic exit doors)

## 3.3 Essential Fire Safety Measure Assessment

## REQUIRED ACTIONS

The following issues have compromised a measure's ability to perform to its relevant design/install standard of performance. This may compromise life or building safety and requires (possibly urgent) rectification.

Action required items require rectification (prior to signing the statement) to avoid causing an offence under the Regulations.

| Item | Performance Issues / Required Actions   | Rectification   |
|------|---|---|
| 1.   | <b>Emergency Lighting</b><br>Emergency lighting has been provided to cover the cash register area only of the building with a single paraflood unit mounted on the east wall only, and its required performance standard appears to be in accordance with Clause E4.2 BCA, AS2293.1 - 1998 for the construction of this area. The measure is designed to assist in occupant evacuation by providing illumination in the event of a power failure/emergency. The system appears to be on own circuit with monitoring and a testing device. |   |
| 1.1. | <b>Testing.</b> Evidence of required 6 monthly routine testing of the emergency and exit lights was not available at the time of assessment.  | Provide copy latest exit lighting test report (must be less than 6 months old).<br>Alternatively, 6 monthly testing of the exit signs in accordance with AS2293.2-2019 is required. |
| 2.   | <b>Exit Signs</b><br>Illuminated exit signs have been provided to cover the extension area of the building only and the required performance standard appears to be in accordance with Clauses E4.5, 4.6, 4.8 BCA, AS2293.1 - 1998. The measure is designed to identify the required exits within the building. The system appears to be on own circuit without monitoring or a testing device.   |   |
| 2.1. | Refer item 1.1.   |   |
| 3.   | <b>Hose Reel Systems</b><br>A single hose reel system has been installed at the cash sales area only of the building in positions which indicate the required performance standard to be in accordance with clause E1.4 BCA, AS2441-1988. The manufacture date of the units is 2018 which can indicate the approximate replacement date.<br>The system has been routinely inspected and tested on a six-monthly basis, with the most recent inspection recorded as having been completed in September 2022.                               |   |
| 3.1. | No defects identified that would prevent system function to its performance standard at the time of assessment.   |   |
| 4.   | <b>Portable Fire Extinguishers</b><br>Extinguishers have generally NOT been installed throughout the building. The existing extinguishers for the front service area and restaurant kitchen provide coverage to their respective areas in accordance with, Clause E1.6 BCA, AS2444-2001.<br>The extinguishers have been routinely inspected and tested on a six-monthly basis, with the most recent inspection recorded as having been completed in September 2022.   |   |
| 4.1. | No defects identified that would prevent system function to its performance standard at the time of assessment.   |   |

Report: 4294709

277 Mona Vale Road, Torrey Hills

| Item | Performance Issues / Required Actions  | Rectification |
|------|--|---------------|
| 5.   | <p><b>Division 7 Assessment: Fire Exits, Doors Relating To Fire Exits &amp; Paths of Travel to Exits</b></p> <p>The Regulation requires an Accredited Practitioner (Fire Safety) to be engaged to ensure there was no issue/s found that would "disclose any grounds for a prosecution under Environmental Planning &amp; Assessment (Development Certification and Fire Safety) Regulation 2021. Section 109 requires that any path of travel leading to a building's fire exit, is kept clear of anything that may impede the free passage of persons and must ensure any door in the fire exit is not impeded, obstructed or interfered with and have been assessed to comply with Section 109 Environmental Planning &amp; Assessment (Development Certification and Fire Safety) Regulation 2021.</p> |               |
| 5.1. | At the time of assessment, paths of travel were found to be clear and free from obstruction.   |               |

#### RECOMMENDED ACTIONS

Recommendations do not currently affect the endorsement of a system or the signing of the Annual Fire Safety Statement against the listed measure but consideration should be given to addressing such issues.

|                                 |   |
|---------------------------------|---|
| Emergency Lighting & Exit signs | <ul style="list-style-type: none"> <li>Additional emergency &amp; exit signage is recommended to be installed through the buildings in accordance with BCA specifications and AS22293,1-2005 to provide illumination of egress paths in the event of a power failure to the normal lighting for any reason.</li> </ul>  |
| Evacuation Procedures           | <ul style="list-style-type: none"> <li>An evacuation procedure (as per AS 3745-2010 and OHS requirements) should be developed for the site and have detailed emergency procedures in place. This should include a site-specific procedures manual and evacuation signage. Wardens should be trained at 6 monthly intervals and conduct a minimum of one trial evacuation per year.</li> </ul> |
| Hose reels                      | <ul style="list-style-type: none"> <li>That additional hose reels are recommended to be provided in accordance with AS2441-2005 to coverage of the remaining areas of building that were not a part of the upgrade works in 2006 allowing trained occupants to extinguish a fire if discovered in its early stages.</li> </ul>  |

## Section 4 Conclusion

This report has assessed the essential fire safety measures capability of performing (in the event of a fire) to their design & install standards and deficiencies have been noted.

The Statement is only endorsed for signing by building owner or the owner's agent once the listed deficiencies have been rectified. Only then can the statement be lawfully submitted to the relevant authority and emailed to Fire and Rescue NSW ([nfss@fire.nsw.gov.au](mailto:nfss@fire.nsw.gov.au)).



**Warren Armstrong**

**Accredited Practitioner (fire safety)**

**Wormald Assessment & Engineering**