

# Fire Safety Statement

Part 9 of the Environmental Planning and Assessment Regulation 2000



## **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

**54 West Esplanade, Manly, NSW, 2095**

Lot No. (if known)	DP/SP (if known)	Building name (if applicable)
1	DP 788821 SP 53211	Grande Esplanade (incl. Quest Apartments)

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

9 storeys above and 1.5 storeys below ground  
1x level commercial tenancies/parking, 1 x level serviced apartments/parking, 1x level serviced apartments/SOU  
residential units, 6x levels SOU residential units and 1.5 levels of underground parking.

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

Name

The Owners of Strata Plan 53211 c/- Dynamic Property Services

Address

**Level 25, 66 Goulburn Street, Sydney, NSW, 2000**

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

Fire safety measure	Minimum standard of performance	Date(s) assessed	CFSP *
Automatic Fire Detection & Alarm Systems (Common area 240v smoke alarms residential, common area lobbies 1-8 inclusive)	BCA (1990) Clause E1.7, AS 1668.1(1991) and AS 1670(1986)	17/9/2020	F02:135A
Automatic Fire Suppression Systems (Sprinklers)	BCA (1990) Clause E1.5 and AS 2118 (1982)	17/9/2020	F02:135A
Emergency Lighting	BCA (1990) Clause E4.2, E4.4 and AS 2293.1(1987)	17/9/2020	F02:135A
Exit Signs	BCA (1990) Clause E4.5, E4.6, E4.8 and AS 2293.1 (1987)	17/9/2020	F02:135A
Fire Doors	BCA (1990) clause C3.4 and AS 1905.1 (1990)	17/9/2020	F02:135A
Fire Dampers	AS 1668.1 (1991)	10/12/2020	F03:405A
Fire Hydrant System	BCA (1990) Clause E1.3 and AS 2419.1 (1988)	17/9/2020	F02:135A
Hose Reel Systems	BCA (1990) Clause E1.4 and AS 2441 (1988)	17/9/2020	F02:135A
Mechanical Air Handling Systems	BCA (1990) Clauses E2.4, F4.5 and AS 1668.1(1991)	20/01/2021	F02:135A

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Portable Fire Extinguishers	BCA (1990) Clause E1.6 and AS 2444 (1990)	17/9/2020	F023135A
Smoke Control Systems	BCA (1990) Clauses E2.1 E2.4 and AS 1668.1 (1991)	20/01/2021	F023135A
Wall Wetting & Sprinkler Drencher Systems	BCA 1990 Specification C3.4	This measure is not installed on site	F023135A
Warning & Operational Signs	BCA (1990) Clause D2.23, Part E3.3 and EP&A Act 1979 & Regulations	17/9/2020	F023135A

\* See notes on page 4 about how to correctly identify a Competent Fire Safety Practitioner (CFSP).

## Section 5: Inspection of fire exits and paths of travel to fire exits (Part 9 Division 7)

Part of the building inspected	Date(s) inspected	CFSP *
All	17/9/2020	F023135A

\* See notes on page 4 about how to correctly identify a Competent Fire Safety Practitioner (CFSP).

## Section 6: Name and contact details of competent fire safety practitioners (CFSPs)

Full name	Phone	Email	Accreditation No.*	Signature
Michael Langford	1300 340 210	<a href="mailto:Service@2020fire.com.au">Service@2020fire.com.au</a>	F023135A	
JAMES BURY	99070700	<a href="mailto:ADMIN@FIRESTOPPING.COM.AU">ADMIN@FIRESTOPPING.COM.AU</a>	F033405A	

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

## Section 7: Name and contact details of the person issuing this statement #

Full name  
**MIKE HEARN**

Organisation (if applicable)  
**THE OWNERS SP53211**

Phone  
**0429 945 812**

Title/Position (if applicable)  
**CHAIRMAN**

Email  
**grandeesplanade@bfms.com.au**

# The person issuing the statement must not be a CFSP listed in section 6.

## Section 8: Annual fire safety statement declaration

I, **MIKE HEARN** (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 a competent fire safety practitioner and was found, when it was assessed, to be capable of performing:

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- i. in the case of an essential fire safety measure applicable by virtue of a fire safety schedule, to a standard no less than that specified in the schedule, or
  - ii. in the case of an essential fire safety measure applicable otherwise than by virtue of a 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 a competent fire safety practitioner and was found, when it was inspected, to be in a condition that did not disclose any grounds for a prosecution under Division 7 of Part 9 of the Regulation.

Owner/Agent Signature

X

Date issued

5/2/2021

## 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 the statement has been assessed by a competent fire safety practitioner and was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which this statement is issued.

Owner/Agent Signature

X

Date issued

5/2/2021

### Note:

A current fire safety schedule for the building must be attached to the statement in accordance with the Regulation.



# 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 Regulation 2000*.
- A 'CFSP' is a competent fire safety practitioner recognised under clause 167A of 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 can be emailed to Fire and Rescue NSW at [afss@fire.nsw.gov.au](mailto:afss@fire.nsw.gov.au). Alternately, statements can be posted to Fire and Rescue NSW, Locked Bag 12, Greenacre NSW 2190. 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 display a copy (together with a copy of the current fire safety schedule) in a prominent location within the building.
- Further information about building fire safety is available on the 'Fire safety' 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 clause 175 of the Regulation and relates to each essential fire safety measure that applies to the building.
- A supplementary fire safety statement is issued under clause 178 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.
- 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 clause 165 of 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.



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- 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 CFSP who assessed a fire safety measure listed in section 4 must be nominated against the relevant measure(s) in the column titled 'CFSP'. If the CFSP is not required to be accredited, the name of the CFSP must be listed. Further information on the accreditation number is provided at section 6.

## Section 5: Inspection of fire exits and paths of travel to fire exits (Part 9 Division 7)

- This section applies only to an annual fire safety statement.
- The purpose of this section is to identify that a CFSP has inspected the fire exits, fire safety notices, doors relating to fire exits and paths of travel to fire exits in the building or part of the building and found there has been no breach of Division 7 of Part 9 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 CFSP who inspected the whole or part of the building listed in section 5 must be nominated against the relevant part in the column titled 'CFSP'. If the CFSP is not required to be accredited, the name of the CFSP must be listed. Further information on the accreditation number is provided at section 6.

## Section 6: Name and contact details of competent fire safety practitioners (CFSPs)

- A CFSP 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). Under clause 167A of the Regulation, the building owner(s) must form the opinion in writing that the person is a CFSP unless the person is required to be accredited (see below).
- The purpose of this section is to record the name and contact details of each CFSP 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 CFSP listed in the table must also sign the fire safety statement. Alternatively, a CFSP could provide the building owner or agent with a separate signed document to endorse the relevant part of the fire safety statement.
- An accreditation scheme for CFSPs is expected to start in January 2020.
- After the accreditation scheme begins, CFSPs will need to be selected from a register of recognised practitioners. The accreditation number of each relevant CFSP must be listed on the form. Until the accreditation scheme commences, or if a practitioner is of a class of persons that is not required to be accredited under clause 167A of the Regulation, there is no requirement to include an accreditation number on the form.
- Further information about the accreditation scheme can be found at [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au).

## Section 7: Name and contact details of the person issuing the statement

- The purpose of this section of the form is to detail the name and contact details of the person who is issuing the statement 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 issues the statement 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 issuing the statement as a representative of the organisation must have the appropriate authority to do so.
- Where a person issues the statement 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 issue the statement, however each of the other owners must authorise the owner who issues the statement to act as their agent.
- The person issuing the statement must not be a CFSP who is listed in section 6. This recognises the different roles and responsibilities for building owner(s) and CFSPs 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 a CFSP. This ensures that building owners, who are ultimately responsible, remain engaged in the fire safety statement process.
- In addition, until an accreditation scheme commences and accredited practitioners are recognised as CFSPs under the Regulation, or if a practitioner is not required to be accredited, only the building owner(s) can determine that a person is competent to perform the fire safety assessment functions. The building owner(s) are also responsible for ensuring that essential fire safety measures are maintained in accordance with clause 182 of the Regulation. An agent cannot be made responsible for these requirements.