

# ANNUAL FIRE SAFETY STATEMENTS

Environmental Planning & Assessment  
Regulation 2000

## WHO IS RESPONSIBLE FOR AN ANNUAL FIRE SAFETY STATEMENT (AFSS) AND WHY?

All building owners and property managers should be aware of their responsibilities for the maintenance of essential fire safety measures in their buildings, as outlined in the Environmental Planning & Assessment Regulation 2000. Clause 182 of the Regulation requires the owner of a building to maintain each essential fire safety measure in that building in accordance with relevant standards of performance, and those standards are usually nominated by Council in a previous Development Consent, Construction Certificate, or a previous Fire Safety Order that was issued upon that property.

This clause places ultimate responsibility for the maintenance of fire safety measures on the building owner. It is important that owners and occupiers realise that maintenance of their fire safety systems is not just a moral obligation or their duty of care, but more importantly is a legislative requirement as mentioned above. Apart from this, other vital reasons for maintenance are:

- To ensure safety of building occupants
- To continuously preserve the function and performance of fire safety systems and equipment
- To maintain and protect assets - proper preventative maintenance can save money
- To avoid business interruption and disruption to activities/operations in the event of fire

### Need help?

For assistance please contact Council's Planning, Building and Compliance team on **1300 459 689** or **mail@cgrc.nsw.gov.au**

## WHAT SHOULD AN AFSS CONTAIN?

An Annual Fire Safety Statement must be made in the form approved by the Planning Secretary and must contain the following information:

- the name and address of the owner of the building or part,
- a description of the building or part (including its address),
- a list identifying each essential fire safety measure in the building or part, together with the minimum standard of performance specified in the relevant fire safety schedule in relation to each such measure,
- the date or dates on which the essential fire safety measures were assessed,
- the date on which the building was inspected,
- the type of certificate being issued,
- a statement to the effect referred to in clause 175 (for an annual statement) or clause 178 (for a supplementary statement),
- the date on which the statement is issued,
- the name and contact details of the person who issued the statement,
- the name and contact details of the accredited practitioner (fire safety) who endorsed the statement.

The form must meet this legislative requirement and be signed by the owner or their agent. A copy of the Planning Secretary's Annual Fire Safety Statement form can be found on <https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/fire-safety-statement-form-version-3-2019-11-27.docx?la=en> This includes listing each type of essential service located within the building along with the associated standard and date of assessment (page 2 & 3 of Council's AFSS form) e.g.

Fire Blankets	AS2444-2001	12/01/20
Portable Fire Extinguisher	AS2444-2001	12/01/20
Illuminated Exit Signs	AS2293.1 - 2005	12/01/20

## Where do I find Australian Standards for the essential fire services located in the building?

These can be found on the schedule issued to you by Council or on the fire safety certificate issued to you by your accredited practitioner (fire safety).

## What are some of the re-occurring matters that restrict the issuing of compliance for the AFFS?

- Defects listed on the fire safety statement. These will need to be addressed and a new fire safety statement submitted to Council stating that the defects have been rectified.
- The AFFS does not meet legislative requirements.
- The AFFS indicates that only part of the building has been assessed. Either the statement will have to be re-issued with the whole of the building being indicated or a letter stating why only part of the building was reported on.
- The Australian Standards and/or dates of assessment are not listed. These will need to be filled in and the form returned to Council.
- The AFFS was for the common areas only. Additional statements covering all units within the property will be required to be forwarded to Council.
- The assessment and inspection of an essential fire safety measure or building must have been carried out within the period of 3 months prior to the date on which the annual fire safety statement is issued i.e. if you submit your application on the 3rd December then the certificate must be dated within the 3 months before that date.

While every effort has been made to ensure accuracy, Council provides this information with the understanding it is not guaranteed to be accurate, correct or complete. The user of the information assumes all liability and responsibility for their dependence on it, any conclusions drawn from it, or damages, injury, or loss incurred in the event that any information is incorrect, incomplete or omitted.

## I have a current Construction Certificate for renovations to an existing building. Do I have to submit an AFSS?

Yes. An AFSS is required for any existing Class 2-9 building. The building must maintain the essential services that was listed on the current fire schedule or if no schedule available, in the building prior to the renovations.

Once the renovations are complete then the new fire schedule (issued in the Development Application Consent) will replace previous fire schedules.

## THINGS TO REMEMBER

**The AFFS must be lodged with Council and a copy lodged with the Fire Commissioner (FRNSW)**

### What is the fee to lodge an AFFS?

At this point in time there are no charge to lodge a fire safety statement.

### Certificate must be displayed

A copy of the current certificate to be prominently displayed in the building.

## HOW DO I LODGE AN AFFS TO COUNCIL?

Council will accept lodgement of an AFFS:

- In person to the Council Office at 81 Wallendoon Street Cootamundra or 255 Sheridan Street Gundagai
- By mail: PO Box 420 COOTAMUNDRA NSW 2590
- Via email: [mail@cgrc.nsw.gov.au](mailto:mail@cgrc.nsw.gov.au)

## HOW DO I LODGE AN AFFS TO THE FIRE COMMISSIONER?

The AFFS must be lodged to the Fire Commissioner electronically by email. For more information go to NSW Fire & Rescue website [www.fire.nsw.gov.au](http://www.fire.nsw.gov.au) – For Business- Building Fire Safety-Lodge a Fire Safety Statement (<https://www.fire.nsw.gov.au/page.php?id=9157>)