ANNUAL FIRE SAFETY STATEMENT

FACT SHEET

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

What should an Annual Fire Safety Statement contain?

An Annual Fire Safety Statement must contain the following information

a. the name and address of the owner of the building or part,
b. a description of the building or part (including its address),
c. 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,
d. the date or dates on which the essential fire safety measures were assessed,
e. the type of certificate being issued,
f. a statement to the effect referred to in clause 170 (for a final certificate) or clause 173 (for an interim certificate),
g. the date on which the certificate is issued,
h. a signature of the owner or nominated agent.

If the certificate you receive from your fire safety technician does not meet this legislative requirement then the form issued by Council will need to be filled out and submitted along with the certificate and/or schedule (A copy of Council's Annual Fire Safety Statement form can be found on the Council's website.). 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	12/01/12
Portable Fire Extinguisher	AS2444-2001	12/01/12
Illuminated Exit Signs	AS2293.1	12/01/12

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 fire safety technician.

What are some of the re-occurring matters that restrict the issuing of compliance for the Annual Fire Safety Statement?

- Defects listed on the fire certificate. These will need to be addressed and a new fire certificate submitted to Council stating that the defects have been rectified.
- The Annual Fire Safety Statement does not meet legislative requirements.
- The fire certificate indicates that only part of the building has been assessed. Either the certificate 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 Fire Safety Certificate 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.

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

Yes. An Annual Fire Safety Statement 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.

What is the fee for an Annual Fire Safety Statement?

- Required fees can be located within Council's Revenue and Pricing Policy which can be accessed via the following link - http://www.wagga.nsw.gov.au/__data/assets/pdf_file/0009/2313/Revenue-and-Pricing-Policy-2012_13.pdf

How do I submit an Annual Fire Safety Statement to Council?

Council will accept submission of an Annual Fire Safety Statement via the following methods:

- Delivered in person to Council's main administration building, located at Cnr Morrow & Baylis Streets, Wagga Wagga
- Sent by mail to PO BOX 20 WAGGA WAGGA NSW 2650
- Sent via email to council@wagga.nsw.gov.au (credit card details must be supplied for payment)

All submissions must be accompanied by a form of payment (Cash, Cheque or Credit card details).

Further information can be accessed on Council's website via the following link - http://www.wagga.nsw.gov.au/city-of-wagga-wagga/planning/building/fire-safety#anchor5937