Fire Safety Certificate

Part 11 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 certificate is provided on pages 3 and 4.

Section 1: Type of certificate

This is (mark applicable box): ☐ a final fire safety certificate (complete the declaration at Section 6 of this form)
☐ an interim fire safety certificate (complete the declaration at Section 7 of this form)

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

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

Address

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).

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	Status*

* Indicate whether the measure is new (N), existing (e) or modified (M)

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Section 5: Name and contact details of the person making the declaration in section 6 or 7

Full name (Given Name/s and Family Name)

Organisation (if applicable) | Title/Position (if applicable)

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

Phone | Email

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Section 6: Final fire safety certificate declaration - for the whole of the building work

I, Click here (insert full name) being the: ☐ owner ☐ owner's agent

certify that each essential fire safety measure specified in the current fire safety schedule for the building has been assessed by a properly qualified person as capable of performing to at least the standard required by the current fire safety schedule.

Owner/Agent Signature | Date issued

Section 7: Interim fire safety certificate declaration

I, Click here (insert full name) being the: ☐ owner ☐ owner's agent

certify that each essential fire safety measure specified in the current fire safety schedule for the part of the building has been assessed by a properly qualified person as capable of performing to at least the standard required by the current fire safety schedule.

Owner/Agent Signature | Date issued

Note:

A fire safety certificate must not be issued unless the certificate is accompanied by a fire safety schedule for the building or part of the building in accordance with the Regulation.

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Information to help building owners complete the Fire Safety Certificate form

Please note:

The following information has been provided to help building owners complete the fire safety certificate 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 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*.
- Completed fire safety certificates must be lodged with Fire and Rescue NSW by email at firesafety@fire.nsw.gov.au. For further information about this process, please visit the 'Lodge a fire safety certificate' page at www.fire.nsw.gov.au.
- As soon as practicable after issuing the fire safety certificate, 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.

Section 1: Type of certificate

- Mark the applicable box to identify if the certificate being issued is a final fire safety certificate or an interim fire safety certificate.
- Fire safety certificates are issued under Part 11 of the Regulation.
- A final fire safety certificate concerns the whole of the building work.
- An interim fire safety certificate concerns a completed part of the building work.

Section 2: Description of the 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 items such as portable fire extinguishers, fire hydrants, fire sprinklers, fire detection and alarm systems and lightweight construction.
- For final fire safety certificates, the table in section 4 must list each of the essential fire safety measures that apply to 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 final fire safety certificate is issued.
- For interim fire safety certificates, the table in section 4 must list each of the essential fire safety measures that apply to the 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 interim fire safety certificate is issued.
- The person who carries out the assessment must—
  - (a) inspect and verify the performance of each essential fire safety measure being assessed, and
  - (b) test the operation of equipment that—
    - (i) is specified in the current fire safety schedule for the building, and
    - (ii) has not previously been tested in an assessment because it is newly installed.

- A fire safety certificate deals with all essential fire safety measures in the current fire safety schedule for the building or part. However, the certificate need not deal with any measure the subject of other fire safety certificates or fire safety statements issued within the previous 6 months, except if the person who issued the relevant development consent, construction certificate or fire safety order determines that the fire safety certificate must address these measures.

Section 5: Name and contact details of the person making the declaration in section 6 or 7

- 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 6 or section 7 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 the owner who makes the required declaration to act as their agent.

Section 6: Final fire safety certificate declaration

- The person completing this section is the person who is making the required declaration for the final fire safety certificate in accordance with section 83 and 84 of the Regulation and is the same person as detailed in section 5. The person making the 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 <u>not</u> 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 a properly qualified person 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 properly qualified person to verify that the standard of performance has been met and that any new items of equipment have been tested, prior to completing the form.

Section 7: Interim fire safety certificate declaration

- The person completing this section is the person who is making the required declaration for the interim fire safety certificate in accordance with section 83 and 84 of the Regulation and is the same person as detailed in section 5. The person making the required declaration must identify if they are the owner or the owner's agent.
- The information provided above in relation to section 6 on what the owner is declaring also applies to an interim fire safety certificate.

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