

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)

5 MURRAY ROSE AVENUE SYDNEY OLYMPIC PARK NSW 2127

Lot No. (if known)	DP/SP (if known)	Building name (if applicable)
		LION

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

CLASS: 5, 7A

BUILDING USE: OFFICE, CARPARK

STOREYS ABOVE GROUND: 7

STOREYS BELOW GROUND: 2

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) *

GROWTHPOINT PROPERTIES AUSTRALIA LIMITED ACN 124 093 901

* 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)

C/- CBRE, SUITE 1.06, LEVEL 1, 102 BENNELONG ROAD SYDNEY OLYMPIC PARK NSW 2127

Section 4: Fire safety measures

Fire safety measure	Minimum standard of performance	Date(s) assessed	APFS *
ACCESS PANELS, DOORS AND HOPPERS TO FIRE RESISTING SHAFTS	BCA C2.13	4/10/2023	F026167A
AUTOMATIC FAIL SAFE DEVICES	BCA C3.6, D2.21 AS 1670.1-2004	4/10/2023	F026167A
AUTOMATIC FIRE DETECTION AND ALARM SYSTEMS	BCA CLAUSE E2.2, SPECIFICATION E2.2A, AS 1670 1-2004 AND FIRE ENGINEERING REPORT BY FIRE ENGINEERING PROFESSIONALS REF 2010/560 REVISION R3.0 DATED 30/09/2011	4/10/2023	F026167A
AUTOMATIC FIRE SUPPRESSION SYSTEMS (SPRINKLER)	BCA SPECIFICATION E1.5, AS 2118.1-1999 AND FIRE ENGINEERING REPORT BY FIRE ENGINEERING PROFESSIONALS REF 2010/560 REVISION R3.0 DATED 30/09/2011	4/10/2023	F026167A

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EASEMENT FOR FIRE SEPARATION	FIRE ENGINEERING REPORT BY FIRE ENGINEERING PROFESSIONALS REF 2010/560 REVISION R3.0 DATED 30/09/2011	21/11/2023	F052173A
EMERGENCY LIGHTING	SECTION 2 E4.2 & E4.4 AS 2293 – 1995	3/11/2023	F043625A
EMERGENCY MANAGEMENT PLAN	AS 3745 – 1995 FIRE ENGINEERING REPORT BY FIRE ENGINEERING PROFESSIONALS REF 2010/560 REVISION R3.0 DATED 30/09/2011	21/11/2023	F052173A
EXIT SIGNS	SECTION 2 E4.5, E4.6, & E4.8 AS 2293 – 1995	3/11/2023	F043625A
FIRE ALARM MONITORING COMMUNICATION LINK	AS 4428.6 – 1997 AS 1670.3 – 2004 AS 3013 – 2005	7/12/2023	F020912A
FIRE BLANKETS	AS 2444 - 2001	4/10/2023	F026167A
FIRE DAMPERS	AS 1851 – 2005 SECTION 17 AS 1668.1 - 1998	21/11/2023	F052716A
FIRE DOORS	BCA CLAUSE C3.8, AS1905.1-2005 AND FIRE ENGINEERING REPORT BY FIRE ENGINEERING PROFESSIONALS REF 2010/560 REVISION R3.0 DATED 30/09/2011	4/10/2023	F026167A
FIRE HOSE REELS	BCA CLAUSE E1.4 AND FIRE ENGINEERING REPORT BY FIRE ENGINEERING PROFESSIONALS REF 2010/560 REVISION R3.0 DATED 30/09/2011	4/10/2023	F026167A
FIRE HYDRANT SYSTEMS	BCA CLAUSE E1.3 AND FIRE ENGINEERING REPORT BY FIRE ENGINEERING PROFESSIONALS REF 2010/560 REVISION R3.0 DATED 30/09/2011	4/10/2023	F026167A
LIGHTWEIGHT CONSTRUCTION	BCA CLAUSE C1.8, BCA SPECIFICATION C1.8 (INCLUDING CONSTRUCTION ENCLOSING THE DATA CENTRE AND BATTERY ROOM TO THE UPPER GROUND FLOOR LEVEL ACHIEVING 120/120/120)	21/11/2023	F052173A
MECHANICAL AIR HANDLING SYSTEMS	BCA CLAUSE E2.2 AS 1668.1 – 1998 AS 1668.2 – 1991	21/11/2023	F052716A
PATHS OF TRAVEL TO EXITS	EPA REG 2000 PART 9 DIV 7 AND FIRE ENGINEERING PROFESSIONALS REF.2010/560 REVISION R3.0 DATED 30/09/2011	4/10/2023	F026167A
PORTABLE FIRE EXTINGUISHERS	BCA PART E1.6 / AS2444 (2001)	4/10/2023	F026167A
SLIDING FIRE DOORS	WON SLIDING FIRE DOOR TO THE INTERNAL NON-REQUIRED STAIR ACHIEVING O FRL OF -/120/- AS ADOPTED BY THE FIRE ENGINEERING REPORT BY FIRE ENGINEERING PROFESSIONALS REF 2011/690 REVISION R1.4 DATED 10/04/2012	4/10/2023	F026167A

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WALL WETTING DRENCHERS	FIRE ENGINEERING REPORT BY FIRE ENGINEERING PROFESSIONALS REPORT 2011/690 – R104 DATED APRIL 2012	4/10/2023	F026167A
WARNING AND OPERATIONAL SIGNS	BCA D2.23, E3.3 AND EPA REG. 2000 PART 9 DIV. 7	4/10/2023	F026167A

* 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 *
ALL AREAS	4/10/2023	F026167A

* 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
John Billingham	15 Farrell Road, Bass Hill	0419-220-037	F043625A	
Michael Petterson	4/46 Buffalo Rd Gladesville NSW 2111	0298776655	F052716A	
Sean Eric Joseph	96 Bay St, Botany 2019	02 9666 1555	F020912A	
Brett Ritchie	PO Box 8178 Baulkham Hills BC NSW 2153	0411 054 864	F026167A	
Nishant Siyani	31 Market St Sydney 2000	1300725797	F052173A	

* 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)
Alex Lang

Organisation (if applicable)	Title/Position (if applicable)
CBRE	Associate Director

Address (Street No, Street Name, Suburb and Postcode)
C/- CBRE, Level 29. 177 Pacific Highway North Sydney NSW 2060

Phone	Email
0405712456	Alex.Lang@cbre.com

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, (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 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

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- b) 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

A handwritten signature in black ink, appearing to be 'AL'.

18.12.23

Section 9: Supplementary fire safety statement declaration

I, [Click here](#) **Alex Lang** (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

A handwritten signature in black ink, appearing to be 'AL'.

18.12.23

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.

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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. For further information about this process, please visit the 'Lodge a fire safety statement' page at 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.

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.

- 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.

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.

- 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.

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