

Annual Fire Safety Statement

Request for a Stay of Infringement



This form should be completed where an Annual or Supplementary Fire Safety Statement cannot be submitted by the due date.

Note:

- Please ensure all fields on this form are completed. Incomplete applications are unable to be considered and will be declined.
- If the space in the fields provided is insufficient, please attach additional pages.
- An invoice for the associated [fee](#) will be sent to you and must be paid within 48 hours. Failure to arrange payment will result in your application being declined, which may result in a penalty infringement notice being issued.

Part 1: Applicant and Site Details

1. Applicant Details

Name or Company		
ABN (Required if company)		
Email		
Phone		
Postal Address		
Contact Person (if company)		
Annual Fire Safety Reference Number		
Will your correspondence be 'care of' another company?		
	Yes	No
Name or Company		
ABN (Required if company)		
Email		
Phone		
Postal Address		
Contact Person		

2. Location and title description of the property

Unit No		House No		Street Name	
Suburb				Post Code	
Lot(s)			Section		
Deposited Plan			Strata Plan		

3. Who owns the building?

Owner	
Address	
Phone	
Email	

Part 2: Application Details

4. Explain why a compliant Annual/ Supplementary Fire Safety Statement cannot be submitted.
Provide reasons why an Annual/Supplementary Fire Safety Statement meeting the requirements of [Part 12, of the Environmental Planning and Assessment \(Development Certification and Fire Safety\) Regulations, 2001](#) cannot be submitted.

IMPORTANT:

If you already have a Stay of Infringement that is currently approved and this is an application for an extension of time for the same Annual Fire Safety Statement, City of Newcastle (CN) requires you to identify what action or rectification works have been undertaken in the preceding month, what essential fire safety measures have been inspected and assessed, and why you require further time.

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5. Essential Fire Safety Measures

Summary of defective fire safety measure and proposed corrective action

Non-Compliant or Untested Fire Safety Measure	Action Being Taken	Estimated and/or Completion Date

6. Risk Management Declaration

Complete this part if there is a delay with the issue of the Annual Fire Safety Statement. The risk assessment should be undertaken with the assistance of your Accredited Practitioner (Fire Safety).

I advise that a risk assessment has been undertaken and until all necessary works have been completed a management strategy has been implemented to mitigate the identified potential risks to people’s health and safety.

Applicant Name	
Applicant Signature	
Date	

7. Required Attachments

The following supporting documents are required for your application to be assessed.

- Partial Annual Fire Safety Statement for compliant Fire Safety Measures already assessed.
- A Program of Works: Detailed description of the work required, person engaged to complete the work and timeframe of when the work will be completed.

8. Probity

Are parties with pecuniary or non-pecuniary interest:

- a) A staff member, councillor, contractor or related to someone who is a staff member, councillor, contractor of CN? or,
- b) A State or Federal Member of Parliament?

Yes, state the relationship.

No

9. Who signs the form?

- An/ the owner of the subject property.
- If the owner is a company - a director, secretary, or authorised delegate.
- If the property is strata titled and relates to the entire strata – the authorised delegate of the Owner’s Corporation.
- If the property is strata titled and relates only to a single lot in the strata - all owner/s of the particular lot.
- If Crown land - an authorised officer of the relevant government authority must sign the application.
- If signing on the owner’s behalf as the owner’s legal representative, you must state the nature of your legal authority and attach any available evidence (e.g. power of attorney, executor, trustee, company director).
- If signing on behalf of a corporate body or company, the application should be signed by an authorised person under common seal and the position of that person in the corporate body or company must be stated on the form. Alternatively, the Common Seal is not required if two Directors or authorised persons sign the application form, or if you are a sole Director.

Owner Declaration

As the owner of the property, I consent to the lodgement of this application and to any authorised officers of City of Newcastle entering onto the land to carry out inspections, take measurements or photographs as required in the assessment of the application in accordance with the requirements of the *Environmental Planning and Assessment Act 1979*, *Local Government Act 1993* and *Building Code of Australia* as applicable. I/ we declare that the information in this statement is, to the best of my knowledge and belief, true and accurate.

Owner or Authorised Person

Name of person signing	
Authority	
Signature	
Date	

How to lodge this application

Lodgement Methods

Email

- Enter the address of the property and the type of application (i.e. Annual Fire Safety Statement: Request for a Stay of Infringement) in the subject line of the email.
- Please use the naming conventions located in [Plan Standards - Guidelines for Lodging Electronic Documents](#) for all documents to be submitted.
- Documents forming part of the application that exceed 10MB, are to be stored in a 'drop box' account and a 'public link' created to the documents. Copy the link and share that link in your email.
- Emails are to be sent to applications@ncc.nsw.gov.au

Mail

City of Newcastle
PO Box 489
Newcastle NSW 2300

In person

At the Customer Contact Centre, located at 12 Stewart Avenue Newcastle West NSW 2302. Call (02) 4974 2000 to book a lodgement appointment with the Duty Officer

Fees

Fees are charged as per CN's [Fees and Charges](#) document. Your application is not considered lodged until the required fees have been paid. An invoice for the associated fee will be sent to you and must be paid within 48 hours. Failure to arrange payment will result in your application being declined, which may result in a penalty infringement notice being issued.

- Cash
- EFTPOS
- Cheque*
- Credit Card*

*Please note a merchant fee is payable on all credit card transactions.

*Cheques are to be made payable to City of Newcastle.

[City of Newcastle](#)

Enquiries on fire safety matters can be directed to CN's Fire Safety Team who can be contacted on
02 4974 2000

Address: 12 Stewart Avenue Newcastle West NSW 2302

Protecting your privacy

City of Newcastle (CN) is committed to protecting your privacy. We take reasonable steps to comply with relevant legislation and CN's Privacy Management Plan.

You are advised the information you provide in this application will enable your application to be assessed by CN and any relevant state agency. Your application will be advertised to the public for comment if the development is designated development, advertised development or is required to be advertised by a development control plan.

The application and all plans and supporting documentation will be kept in a register by the council that can be viewed by the public at any time. Please contact CN if the information you have provided in your application is incorrect or changes.

Purpose of collection:	To enable CN as the consent authority to assess your proposal
Intended recipients:	CN staff and other government agencies that may be required to assess the proposal
Supply:	The information is a statutory requirement related to the assessment of the application.
Consequence of non-provision:	Your application may not be accepted or processed due to a lack of information.
Storage and Security:	City of Newcastle, 12 Stewart Avenue Newcastle 2302 will store details of the application. Individuals can access the details of the application under the <i>Government Information (Public Access) Act 2009</i> .
Access:	Your information can be checked for accuracy by calling (02)4974 2000.