



## POSITION STATEMENT SUMMARY

# Fire safety study process

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### Position

Effective 14 June 2024, the following is a position of Fire and Rescue NSW (FRNSW):

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When a Fire Safety Study (FSS) is imposed as a Condition of Consent under [Chapter 3](#) of the *State Environmental Planning Policy (Resilience and Hazards) 2021*, the FSS must be done to the approval or prepared to the satisfaction of FRNSW prior to the final design so that FRNSW recommendations can be included into the design that is to be determined for a construction certificate.

If the proposed hazardous development subject to a FSS includes a building having a performance-based design, the FSS study should be undertaken prior to seeking consultation on the performance-based design brief (PBDB) so that FRNSW recommendations are adopted into the performance solution being proposed.

The FSS must be prepared in accordance with *Hazardous Industry Planning Advisory Paper No 2* (HIPAP2).

**Note:** HIPAP2 states “*the principle of a fire safety study is that the fire safety system should be based on specific analysis of hazards and consequences and that elements of the proposed or existing system should be tested against that analysis.*” The FSS will likely recommend fire safety measures that are additional and above minimum NCC and relevant Standards requirements.

Refer to [Fire safety study \(FSS\) process](#) for further information.

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Reference must be made to the FRNSW website to ensure this position is current at the time of use, and this position has not been superseded or revoked.

### Summary

This position statement provides clarification around required consultation for a Fire Safety Study, including where a performance-based design is proposed.

A FSS may be required for a ‘hazardous and offensive development’ under Chapter 3 of the SEPP as a result of:

- the Planning Secretary granting conditional approval on the basis of a FSS being undertaken during the preliminary design phase; or
- on recommendation of FRNSW to the Planning Secretary.

The FSS must be:

- prepared at the planning and design phase, with its results incorporated into the design prior to consultation on any performance-based design brief or determination of any construction certificate; and
- prepared in accordance with [Hazardous Industry Planning Advisory Paper No 2, Fire Safety Study Guidelines \(HIPAP2\)](#).

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#### Fire and Rescue NSW

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Informative commentary identifies that the principle of the FSS is holistic analysis of the hazards and consequences, which is likely to propose adoption of supplementary fire safety measures exceeding requirements outlined in the NCC or relevant Standards, hence the need to undertake the FSS during the preliminary design.

Informative commentary also directs building proponents to the FRNSW webpage [Fire safety study \(FSS\) process](#) for further information on the process.

This position statement has been authorised for release by Chief Superintendent Fire Safety, FRNSW.

## Contact us

For further information contact the Fire Safety Branch on (02) 9742 7434 or email [firesafety@fire.nsw.gov.au](mailto:firesafety@fire.nsw.gov.au).