

Fire Safety Legislation Update

Webinar Q&A – March 2026

Thank you to everyone who attended the session and submitted questions. Many of the questions raised were very similar, so we have grouped them into key topics below to provide clear and practical guidance.

Please note that the information below is general guidance relating to NSW fire safety legislation and the recent changes around maintenance and record keeping. Individual buildings may have specific requirements depending on their fire safety schedule, building age, and any council fire orders.

UPGRADING FIRE SAFETY STANDARDS

Q1. Do buildings need to upgrade to new fire safety standards?

In most cases, no.

Strata schemes are generally required to maintain the fire safety measures listed on their building's Fire Safety Schedule, not upgrade them to modern building code standards.

This means:

- You must maintain and test the equipment listed on the schedule
- You must ensure it is operational and maintained to the required standard (AS1851)
- You do not automatically need to upgrade systems to modern building code standards

However, upgrades may be required if:

- Council issues a Fire Safety Order
- Major building works trigger new compliance requirements
- Existing equipment is obsolete or cannot be maintained

This is why some buildings, particularly very old ones, can face significant upgrade costs if council becomes involved.

Q2. Do these requirements apply to older or historic buildings?

Yes. Even very old buildings must still:

- maintain their existing fire safety measures
- carry out required inspections
- submit their Annual Fire Safety Statement (AFSS)
- keep maintenance records

However, the systems required are only those listed on the building's fire schedule, which is often simpler for older buildings.

Q3. Do small buildings (4–10 units or villas) have to comply?

Yes, but the requirements are usually much simpler.

Small strata buildings often only have a few fire safety measures such as:

- smoke alarms in common areas
- exit lighting
- fire extinguishers
- fire doors
- fire hose reels or hydrants (sometimes)

Most small townhouse or villa complexes do not have control rooms or fire panels.

The obligations are still:

- maintain the listed measures
- conduct required testing
- keep maintenance records
- submit an AFSS annually

ONSITE LOGBOOK REQUIREMENTS

Q4. Do buildings need an onsite fire safety logbook?

Under the updated legislation, records of fire safety maintenance must be kept on site and be accessible for inspection.

These records typically include:

- inspection reports
- maintenance records
- test results
- details of repairs or defects

The intention is that Fire & Rescue NSW or council officers can access records quickly during an inspection or emergency.

Q5. Where should the onsite logbook be kept?

This will depend on the type of building.

Common locations include:

- a fire control room
- building manager's office
- electrical meter cupboard
- locked cabinet in common area
- a services cupboard

For villa or townhouse complexes with no lobby, acceptable locations can include a locked cabinet in the meter room, a services cupboard or a secure external cabinet. A cabinet with a 003 key lock (commonly used for fire services access) is often used.

Q6. Why must records be kept onsite if they could be destroyed in a fire?

This requirement exists so that:

- emergency services can quickly verify systems
- building maintenance history is immediately accessible
- compliance can be checked without contacting managers

In practice, most buildings also keep digital copies, so records are not lost if the physical logbook is damaged.

Q7. Is there a standard format for the logbook?

There is no single mandatory template issued by Fire & Rescue NSW, but the logbook must contain records required under the Environmental Planning and Assessment Regulation and Australian Standard AS1851. Most fire contractors provide compliant maintenance records which can be stored in the onsite logbook.

RESPONSIBILITY & OVERSIGHT

Q8. Who is responsible for keeping the logbook?

Responsibility ultimately sits with the Owners Corporation.

However, your strata manager, building manager and fire contractor will all play a part in completing and ensuring it is up to date. Many strata managers also keep digital copies of reports in their systems or portals.

Q9. Will Jamesons keep fire reports on the portal?

Yes. Where available, fire inspection reports and compliance documentation are received by us, reviewed and uploaded to MyPortal for owners and committee members to access. The onsite logbook requirement is in addition to this, not instead of it.

Q10. What happens if some fire equipment fails an inspection?

If defects are identified during testing, the issue should be rectified as soon as possible, and the maintenance record must reflect the test results.

For example, if 30 alarms were tested and 2 failed, the result would be recorded in the logbook, repairs carried out and then a new test recorded once fixed. This shows accurate record keeping and timely rectification.

Q11. Will Fire & Rescue NSW check the logbooks?

Yes, they can if required. Fire & Rescue NSW conducts random building inspections, compliance checks and investigations after incidents. Council may also request the records during compliance reviews. While inspections may not be frequent, the records must still be available if requested.

OLDER BUILDINGS & COMPLIANCE

Q12. Do pre-1988 buildings still need to keep fire safety records onsite?

Yes.

The requirement to maintain fire safety records onsite applies regardless of the age of the building if the building has fire safety measures listed on its Fire Safety Schedule.

Even very old buildings must:

- maintain their existing fire safety measures
- have required inspections carried out
- submit an Annual Fire Safety Statement (AFSS)
- keep maintenance records accessible onsite

Older buildings often have simpler systems, but the record-keeping requirements still apply.

Q13. If council inspects our building, could they force upgrades to modern fire standards?

Possibly.

While the legislation generally requires buildings to maintain the fire safety systems listed on their existing schedule, councils have the authority to issue a Fire Safety Order if they believe the building presents a safety risk.

A Fire Safety Order may require:

- repairs or rectification of defective systems
- additional inspections or certification
- upgrades to certain fire safety measures

For this reason, it is usually best to address compliance issues proactively rather than waiting for council intervention.

RENOVATIONS & FIRE SAFETY SYSTEMS

Q14. Do renovation approvals involving fire safety systems require special approval?

Changes to fire safety systems are treated seriously under strata legislation.

If renovations involve altering or removing fire safety systems on common property, the works may require approval by the Owners Corporation and in some cases, a special resolution.

The exact approval required depends on the nature of the works and whether common property is affected.

If a renovation was approved before February 2026, it is typically assessed under the rules that applied at the time.

ADDITIONAL QUESTIONS

Q15. Do these changes apply to small strata buildings, townhouses and villa complexes?

Yes. If your building is required to lodge an Annual Fire Safety Statement (AFSS), these requirements can still apply even if your scheme is relatively small. Smaller buildings often have fewer fire safety measures to maintain, but they are not automatically exempt just because they do not have a fire control room or complex fire panel.

Q16. Where should the on-site fire safety logbook be kept?

The logbook must be kept on site in a practical and secure location. In larger buildings, this may be a fire control room, building manager's office or services cupboard. In smaller schemes with no lobby or common office, it may be a lockable cabinet in a common property services area, such as a meter or utility cupboard. The key point is that the record must be available on site if required.

Q17. Do these changes mean older buildings have to upgrade to current fire standards?

Not automatically. The 2026 changes are about maintaining, testing and recording the fire safety measures already required under your building's existing Fire Safety Schedule. Older buildings are not exempt, but they are also not automatically required to retrofit to current standards unless a separate order, defect or building works trigger that requirement.

Q18. What happens if access is needed to a private lot for fire safety work?

Sometimes access to a private lot is needed to inspect smoke alarms, roof penetrations or other fire safety-related elements. In these cases, access usually needs to be coordinated through the lot owner. If the lot is rented, the owner or landlord is generally responsible for arranging access with the tenant.

Q19. I understand that if a unit block was built pre-1988 and a fire order has not been issued to it by council, it does not need an AFSS?

This is partially correct, but the full picture is a little more nuanced and it is important to understand the distinction.

Buildings constructed before 1 July 1988 (broadly, strata plans 1 to 33,200) are generally not required to submit an Annual Fire Safety Statement. This exemption is based on the building's construction date — not on whether a Fire Safety Order has or has not been issued by council.

However, this does not mean pre-1988 buildings have no fire safety obligations. Even without an AFSS requirement, these buildings must still:

- Maintain any existing fire safety measures (such as smoke alarms, fire extinguishers and emergency lighting) in working order
- Comply with smoke alarm requirements under Part 13 of the EP&A; Regulation
- Respond to any Fire Safety Orders issued by council or Fire & Rescue NSW

The Owners Corporation's duty under section 106 of the Strata Schemes Management Act 2015 to properly maintain common property — including any fire safety systems installed on it — still applies regardless of building age.

It is also worth noting that if council does issue a Fire Safety Order, this can trigger requirements to upgrade or certify systems, even in older buildings. The absence of a fire order does not remove the underlying obligation to maintain fire safety measures in a safe and serviceable condition.

This document provides general guidance only and does not constitute legal advice. For building-specific advice, please contact your Jamesons strata manager.