

Item 8.

Fire Safety Report

File No: S105001.002

Summary

The City of Sydney has received inspection reports with recommendations from Fire and Rescue NSW in relation to inspections carried out on buildings located within the City's local government area.

Fire and Rescue NSW has powers under the Environmental Planning and Assessment Act 1979 (the Act) to carry out inspections of buildings and it is required to forward its findings to the City.

Fire and Rescue NSW reports received by the City are required to be tabled before Council. Council is then required to determine whether or not to exercise its power to give a fire safety order under Division 9.3 and Schedule 5 of the Act (previously s121B of the Act).

This determination may be made at the next meeting of Council held after the tabling of the Fire and Rescue NSW reports.

Attached are details of the reports received by the City from Fire and Rescue NSW that are required to be tabled.

The attachments deal with a specific property and include the Fire and Rescue NSW report and the findings (preliminary or final) by the City's Investigation Officer, along with other documentation relevant to that property.

A recommendation is made in the attachment setting out the action that is recommended to be the most appropriate to take in the circumstances.

Recommendation

It is resolved that Council:

- (A) note the contents of the Fire Safety Report Summary Sheet, as shown at Attachment A to the subject report;
- (B) note the inspection reports by Fire and Rescue NSW, as shown at Attachments B to Q of the subject report;
- (C) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 814 George Street, Haymarket, as detailed in Attachment B;
- (D) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies in 383-389 Bulwara Road, Ultimo, as detailed in Attachment C;
- (E) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 278-284 Cleveland Street, Surry Hills, as detailed in Attachment D;
- (F) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies in 6-10 Minogue Crescent, Forrest Lodge, as detailed in Attachment E;
- (G) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 20-26 Bayswater Road, Potts Point, as detailed in Attachment F;
- (H) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies in 9 Wylde Street, Potts Point, as detailed in Attachment G;
- (I) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 231-235 Victoria Street, Darlinghurst, as detailed in Attachment H;
- (J) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 141 & 141A Victoria Street, Potts Point, as detailed in Attachment I;

- (K) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 9-11 Bayswater Road, Potts Point, as detailed in Attachment J;
- (L) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 12-18 Forbes Street, Woolloomooloo as detailed in Attachment K;
- (M) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 6-8 Orwell Street, Potts Point, as detailed in Attachment L;
- (N) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies in 84-84B Pitt Street, Sydney, as detailed in Attachment M;
- (O) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 10-24 Flinders Street, Darlinghurst, as detailed in Attachment N;
- (P) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 14 Darling Drive, Sydney, as detailed in Attachment O;
- (Q) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies in 156 Botany Road, Alexandria, as detailed in Attachment P; and
- (R) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 43-127 Morehead Street, Redfern, as detailed in Attachment Q;

Attachments

- Attachment A.** Safety Report Summary Sheet
- Attachment B.** Inspection Report - 814 George Street, Haymarket
- Attachment C.** Inspection Report - 383-389 Bulwara Road, Ultimo
- Attachment D.** Inspection Report - 278-284 Cleveland Street, Surry Hills
- Attachment E.** Inspection Report - 6-10 Minogue Crescent, Forrest Lodge
- Attachment F.** Inspection Report - 20-26 Bayswater Road, Potts Point
- Attachment G.** Inspection Report - 9 Wylde Street, Potts Point
- Attachment H.** Inspection Report - 231-235 Victoria Street, Darlinghurst
- Attachment I.** Inspection Report - 141 and 141A Victoria Street, Potts Point
- Attachment J.** Inspection Report - 9-11 Bayswater Road, Potts Point
- Attachment K.** Inspection Report - 12-18 Forbes Street, Woolloomooloo
- Attachment L.** Inspection Report - 6-8 Orwell Street, Potts Point
- Attachment M.** Inspection Report - 84-84B Pitt Street, Sydney
- Attachment N.** Inspection Report - 10-24 Flinders Street, Darlinghurst
- Attachment O.** Inspection Report - 14 Darling Drive, Sydney
- Attachment P.** Inspection Report - 156 Botany Road, Alexandria
- Attachment Q.** Inspection Report - 43-127 Morehead Street, Redfern

Background

1. The City receives inspection reports and recommendations from Fire and Rescue NSW in relation to inspections carried out on buildings located within the City's local government area.
2. Under the Environmental Planning and Assessment Act 1979, (the Act), Fire and Rescue NSW has the power to carry out inspections of certain buildings to determine if the building has adequate provision for fire safety and/or is compliant with legislation.
3. On average, the City receives approximately 50 such reports each year. They can be prompted by reports from the Police or other people who have a concern relating to fire safety in a building.
4. When Fire and Rescue NSW carries out such an inspection, a report and any recommendations must be provided to the City.
5. Under the Act, Council is then required to table the report and make a determination as to whether it will exercise its power to issue a Fire Safety Order 1 or 2 in Schedule 5, Part 2 of the Act. Fire Safety Order 1 requires a person to do, or stop doing certain specified things to improve fire safety; Fire Safety Order 2 requires a person to cease conducting an activity on premises where that activity constitutes, or is likely to constitute, a life-threatening hazard or a threat to public health or public safety.
6. Attached are the details of the reports received from Fire and Rescue NSW, including recommendations for further action. The properties have also been reviewed by a City Investigation Officer.
7. Personal information has been redacted from these reports in accordance with the Privacy and Personal Information Protection Act 1998.

Relevant Legislation

8. Environmental Planning and Assessment Act 1979.

GRAHAM JAHN, AM

Director City Planning, Development and Transport

Luke Farrell, Fire Safety and Essential Services Specialist