

Item 7.

Fire Safety Reports

File No: S105001.002

Summary

The City of Sydney regularly receives building reports from Fire and Rescue NSW in relation to inspections carried out by Fire and Rescue NSW Authorised Officers. These inspection reports are to be reported to Council and Council is required to determine whether to exercise its power to issue fire safety orders under Division 9.3 and Schedule 5 of the Environmental Planning and Assessment Act 1979 (the Act).

This report includes 26 Fire and Rescue NSW inspection reports, an unusually high number because Fire and Rescue NSW has been assessing the suitability of buildings being considered by the NSW Government for Covid-19 quarantine purposes. The seven Inspection reports at Attachments B through to H result from routine Fire and Rescue NSW inspection activities. The remaining 19 inspection reports at Attachments I through to AA relate to Fire and Rescue NSW Covid-19 related inspections.

All inspections were undertaken to ensure fire safety measures were in full operation and that building exits were clear and unimpeded. It was determined that these inspections were necessary as the exit strategies of these buildings may be modified to cater for the occupants being in quarantine.

Fire and Rescue NSW inspections revealed fire safety concerns that may require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

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. Attached are details of the reports received by the City from Fire and Rescue NSW. 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 most appropriate action in the circumstances.

Recommendation

It is resolved that:

- (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 AA 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 11 Smail Street, Ultimo as detailed in Attachment B;
- (D) 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 767 Botany Road, Rosebery 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 750 George Street, Haymarket as detailed in Attachment D;
- (F) 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 730 - 742 George Street, Haymarket 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 84-84B Pitt Street, Sydney as detailed in Attachment F;
- (H) 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 2 Lee Street, Haymarket 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 243 - 247 Cleveland Street, Redfern 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 88 Broadway, Chippendale 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 61-101 Phillip Street, Sydney 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 150 Day Street, Sydney 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 488 Kent Street, Sydney as detailed in Attachment L;
- (N) 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 7-9 York 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 30 Pitt Street, Sydney 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 117 Macquarie Street, Sydney as detailed in Attachment O;
- (Q) 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 161 Elizabeth Street, Sydney as detailed in Attachment P;
- (R) 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 27 Wentworth Avenue, Sydney as detailed in Attachment Q;
- (S) 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 75 Wentworth Avenue, Sydney as detailed in Attachment R;
- (T) 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 16 O'Riordan Street, Alexandria as detailed in Attachment S;

- (U) 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 140-144 Parramatta Road Camperdown (also known as 13 Layton Street, Camperdown) as detailed in Attachment T;
- (V) 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 319-325 Sussex Street, Sydney as detailed in Attachment U;
- (W) 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 203-225 Victoria Street, Potts Point as detailed in Attachment V;
- (X) 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 11 Hickson Road, Dawes Point as detailed in Attachment W;
- (Y) 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 28-30 Regent Street, Chippendale as detailed in Attachment X;
- (Z) 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 28 Albion Street, Surry Hills as detailed in Attachment Y;
- (AA) 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 62-64 Pitt Street, Sydney as detailed in Attachment Z; and
- (BB) 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 11-19 Jamison Street, Sydney as detailed in Attachment AA.

Attachments

Attachment A.	Fire Safety Report Summary Sheet
Attachment B.	Inspection Report - 11 Smail Street, Ultimo
Attachment C.	Inspection Report - 767 Botany Road, Rosebery
Attachment D.	Inspection Report - 750 George Street, Haymarket
Attachment E.	Inspection Report - 730 - 742 George Street, Haymarket
Attachment F.	Inspection Report - 84-84B Pitt Street, Sydney
Attachment G.	Inspection Report - 2 Lee Street, Haymarket
Attachment H.	Inspection Report - 243-247 Cleveland Street, Redfern
Attachment I.	Inspection Report - 88 Broadway, Chippendale
Attachment J.	Inspection Report - 61-101 Phillip Street, Sydney
Attachment K.	Inspection Report - 150 Day Street, Sydney
Attachment L.	Inspection Report - 488 Kent Street, Sydney
Attachment M.	Inspection Report - 7-9 York Street, Sydney
Attachment N.	Inspection Report - 30 Pitt Street, Sydney
Attachment O.	Inspection Report - 117 Macquarie Street, Sydney
Attachment P.	Inspection Report - 161 Elizabeth Street, Sydney
Attachment Q.	Inspection Report - 27 Wentworth Avenue, Sydney
Attachment R.	Inspection Report - 75 Wentworth Avenue, Sydney
Attachment S.	Inspection Report - 16 O'Riordan Street, Alexandria
Attachment T.	Inspection Report - 140-144 Parramatta Road Camperdown, also known as 13 Layton Street, Camperdown
Attachment U.	Inspection Report - 319-325 Sussex Street, Sydney
Attachment V.	Inspection Report - 203-225 Victoria Street, Potts Point
Attachment W.	Inspection Report - 11 Hickson Road, Dawes Point
Attachment X.	Inspection Report - 28-30 Regent Street, Chippendale
Attachment Y.	Inspection Report - 28 Albion Street, Surry Hills
Attachment Z.	Inspection Report - 62-64 Pitt Street, Sydney
Attachment AA.	Inspection Report - 11-19 Jamison Street, Sydney

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 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. This report includes 26 Fire and Rescue NSW inspection reports, an unusually high number because Fire and Rescue NSW has been assessing the suitability of buildings being considered by the NSW Government for Covid-19 quarantine purposes. The seven Inspection reports at Attachments B through to H result from routine Fire and Rescue NSW inspection activities. The remaining 19 inspection reports at Attachments I through to AA relate to Fire and Rescue NSW Covid-19 related inspections.
5. All inspections were undertaken to ensure fire safety measures were in full operation and that building exits were clear and unimpeded. It was determined these inspections were necessary as the exit strategies of these buildings may be modified to cater for the occupants being in quarantine.
6. When Fire and Rescue NSW carries out such an inspection, a report and any recommendations must be provided to the City.
7. 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.
8. 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.
9. 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

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