

Attachment D

**Inspection Report
231 Oxford Street Darlingtonhurst**

Locality Plan 231 Oxford Street Darlinghurst



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Notes 2008/2021

**Council investigation officer Inspection and Recommendation Report
Clause 17(2) of Schedule 5, of the Environmental Planning and Assessment Act
1979 (the Act)**

CSM: 2606710

Officer: B. Badyari

Date: 23 August 2021

Premises: 231 Oxford Street, Darlinghurst – Limelight On Oxford Theatre

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises with respect to matters of fire safety.

The premises is a 3-storey building containing ground floor retail with a licensed restaurant, and first and second floor bar areas, known as Limelight on Oxford Theatre.

An inspection of the premises was carried out by a Council investigation officer on 1 September 2021 which confirmed that the building is vacant as a direct result of the Covid-19 Public Health orders.

Council records indicate that required fire safety measures were certified by way of an annual fire safety statement submitted to Council in July 2021.

Observation of the external features of the building did not identify the existence of any combustible composite cladding on the façade of the building.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

Chronology:

Date	Event
17/08/2021	FRNSW correspondence received regarding premises 231 Oxford Street, Darlinghurst.
17/08/2021	An initial desktop review of the subject building revealed that the premises is subject to annual fire safety certification and is required to submit annual statements to Council and FRNSW. The building has a current compliant annual fire safety statement.
17/08/2021	A telephone conversation with the building owner confirmed the building is not occupied because of the Covid-19 public health Orders.
1/09/2021	An external inspection of the building by a Council investigation officer confirmed it is vacant.

FIRE AND RESCUE NSW REPORT:

References: [BFS21/1126 (15182) (D21/90791);]

Fire and Rescue NSW (FRNSW) conducted an inspection of the subject premises on 13 April 2021 in accordance with section 9.32 of the Environmental Planning and Assessment Act 1979 (the Act).

The inspection of the premises indicated that the theatre was no longer operating (including advertisements displayed on the doors and the website).

Issues

FRNSW have not raised any specific fire safety issues at the premises.

FRNSW Recommendations

FRNSW have made no direct recommendation within their report other than advise it is at Council's discretion to determine whether the essential fire safety measures at the premises are maintained.

COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:

Issue Order (NOI)	Issue emergency Order	Issue a compliance letter of instruction	Cited Matters rectified	Continue with compliance actions under the current Council Order	No further action required

The review of Council records has revealed that required fire safety measures are appropriately certified.

It is recommended that Council do not exercise its powers to give a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council's actions and determination.

Referenced documents:

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2021/373637-01

Trim Reference: 2021/373637

CSM reference No#: 2606710

Unclassified



File Ref. No: BFS21/1126 (15182)
TRIM Ref. No: D21/90791
Contact: [REDACTED]

12 August 2021

General Manager
City of Sydney
GPO Box 1591
SYDNEY NSW 2001

Email: council@cityofsydney.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT
'LIMELIGHT ON OXFORD THEATRE'
231 OXFORD STREET, DARLINGHURST ("the premises")**

Pursuant to the provisions of Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 13 April 2021 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW).

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

Please be advised that details of this inspection have been provided in accordance with Section 9.32(4) of the EP&A Act. Therefore, on behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Schedule 5, Part 8, Section 17(1)(a) of the EP&A Act.

COMMENTS

It is at council's discretion to determine whether the essential fire safety measures at the premises are maintained. As an inspection of the premises (including advertisements displayed on the doors and the website) indicate that the theatre is no longer operating.

Fire and Rescue NSW

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www.fire.nsw.gov.au

Community Safety Directorate
Fire Safety Compliance Unit

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Greenacre NSW 2190

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www.fire.nsw.gov.au

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Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on [REDACTED]. Please ensure that you refer to file reference BFS21/1126 (15182) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

[REDACTED]

Fire Safety Compliance Unit

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