

Item 4.

Fire Safety Reports

File No: S105001.002

Summary

The City of Sydney regularly receives reports from Fire and Rescue NSW in relation to inspections carried out by Fire and Rescue NSW Authorised Officers. Fire and Rescue NSW has powers under 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 reported to Council. 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).

In response to Fire and Rescue NSW reports City staff undertake inspections to ensure fire safety measures are in full operation and that building exits are clear and unimpeded. Fire and Rescue NSW inspections reveal fire safety concerns that require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

Attached are details of reports received by the City from Fire and Rescue NSW. The attachments deal with eleven properties and include the Fire and Rescue NSW report and the findings (preliminary or final) by the City's Officer, along with other documentation relevant to that property.

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 Attachment B to L of the subject report;
- (C) note the contents of Attachment B and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 107 Darlinghurst Road, Potts Point at this time;
- (D) note the contents of Attachment C and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 184-196 Elizabeth Street, Sydney;;
- (E) note the contents of Attachment D and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 359-361 Sussex Street, Sydney;
- (F) note the contents of Attachment E and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 31-37 Dixon Street, Haymarket at this time;
- (G) note the contents of Attachment F and that staff have issued a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at 309-313 Pitt Street, Sydney;
- (H) note the contents of Attachment G and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 20 Pymont Bridge Road, Camperdown at this time;
- (I) note the contents of Attachment H and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 2-4 Sterling Circuit, Camperdown, at this time;
- (J) note the contents of Attachment I and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 19-21 Larkin Street, Camperdown at this time;
- (K) note the contents of Attachment J and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 382A Pitt Street, Sydney at this time;
- (L) note the contents of Attachment K and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 1 Towns Place, Millers Point at this time; and

- (M) note the contents of Attachment L and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 11-21 Rawson Place, Haymarket.

Attachments

- Attachment A.** Fire Safety Report Summary Sheet
- Attachment B.** Inspection Report - 107 Darlinghurst Road, Potts Point
- Attachment C.** Inspection Report - 184-196 Elizabeth Street, Sydney
- Attachment D.** Inspection Report - 359-361 Sussex Street, Sydney
- Attachment E.** Inspection Report - 31-37 Dixon Street, Haymarket
- Attachment F.** Inspection Report - 309-313 Pitt Street, Sydney
- Attachment G.** Inspection Report - 20 Pyrmont Bridge Road, Camperdown
- Attachment H.** Inspection Report - 2-4 Sterling Circuit, Camperdown
- Attachment I.** Inspection Report - 19-21 Larkin Street, Camperdown
- Attachment J.** Inspection Report - 382A Pitt Street, Sydney
- Attachment K.** Inspection Report - 1 Towns Place, Millers Point
- Attachment L.** Inspection Report - 11-21 Rawson Place, Haymarket

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 others who have a concern relating to fire safety in a building.
4. Inspections are undertaken to ensure fire safety measures are in full operation and that building exits are clear and unimpeded.
5. When Fire and Rescue NSW carries out such an inspection, a report and any recommendations must be provided to the City.
6. 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.
 - (a) Fire Safety Order 1 requires a person to do or stop doing certain specified things to improve fire safety;
 - (b) 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.
7. Attached are the details of eleven reports received from Fire and Rescue NSW, including recommendations for further action. The properties have also been inspected by a City Officer.

Relevant Legislation

8. Environmental Planning and Assessment Act 1979.

GRAHAM JAHN AM

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