

OBERON COUNCIL

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Contact:
Your Ref:
Our Ref:

Dear Landowner,

Re: Safety inspection of Awning over Public Domain

The purpose of this letter is to raise awareness of the recurring potential safety issues relating to awnings over public lands and to seek your co-operation as a building owner to minimise future risks of collapse.

Following a Coronial enquiry into the fatal injury of a man as a result of an awning collapsing, recommendations were made to address the issue of awning safety over public lands.

In response to this recommendation, the NSW Department of Planning and Environment is requesting all NSW Councils implement a program to raise awareness of the need to monitor the safety of awnings as they age and in doing so ensure the safety of the public (Refer to the attached circular).

Awnings are part of the buildings to which they are attached and are the responsibility of the owner of the building, even when an awning is located over a public footpath.

Should you have any questions as to your legal responsibilities for any failure or collapse of your awning over public land, it is recommended you obtain your own legal advice.

Many of the awnings erected across the Oberon local government area have been in place for a number of years. It is not known what maintenance program building owners have implemented to ensure the ongoing structural integrity of those awnings.

Whilst an awning may appear to be structurally sound, there may be defective fixing point(s) covered by other components of the structure making it a potential liability.

These awnings subjected to continued high winds, torrential rain and occasionally build-up of hail or snow during extreme weather events increase the potential to failure.

Also the failure to maintain the stormwater drainage system from the awning can lead to additional water pooling on the awning adversely increasing the loads imposed on the anchors.

It is requested that you take immediate action to engage the services of a practicing structural engineer to inspect the awning structures attached to your building(s).

Following the inspection it is requested that you submit a copy of the inspection report to Council so we have a record of the inspection and the condition of the awning.

In the event the inspection identifies defects in the structure, you are required to report these defects (provide a copy of inspection report) to Council and provide a schedule for the rectification works to occur.

Where the awning is identified as being in an imminent stage of collapse, contact Council immediately and advise of recommendations by the inspecting engineer of measures to be implemented to provide safety to the public and the occupants of the building.

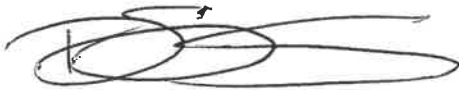
Should you have an ongoing inspection program in place, and you have a recent (within 6 months) satisfactory inspection report, it is requested you forward a copy of that report to Council.

Insurance – Please submit to Council a copy of your public liability insurance certificate in the amount of \$20 million with Council's interest noted on the policy.

Please find attached an extract of Practice Note 18 - Inspection and assessment of existing tied awnings prepared by the Association of Consulting Structural Engineers of New South Wales.

In the interest of the public your early attention to this matter is requested.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Damian O'Shannassy', with a stylized flourish at the end.

Damian O'Shannassy
Director of Planning & Development