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Contact:

Ref No:

Dear Landowner,

Property Address

Re. SAFETY INSPECTION OF AWNING OVER PUBLIC DOMAIN / STRUCTURAL CERTIFICATION OF AWNING

Kuring-Gai Council in March 2014 implemented 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.

The purpose of this letter is to remind you 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.

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. Many of the awnings erected across the Ku-ring-gai local government area have been in place for several 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.

Therefore, it is requested that you take immediate action to engage the services of a NER registered practicing Structural engineer to inspect the awning structures attached to your building(s) and provide Council with a copy of the report as outlined below **within 60 days** of the date of the letter.

Following the inspection, it is request 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 to Council and provide a copy of the inspection report and a schedule for the rectification works to occur.

When engaging the structural Engineer please ensure your engineer comments on the following points before submitting the final report: -

1. Condition of the internal structural members / components within the awning (this may involve temporary removal of either roof sheeting or ceiling linings for inspection),
2. Adequacy of the storm water drainage system,
3. Adequacy of the anchor points, awning frame and condition of soffit and attached signage,

4. Comment on the level of bird infestation within the awning,
5. Expiry date of certification (certificate should not be valid for more than 5 years),
6. Engineer's qualification, and date of inspection

In the event a response is not provided to Council, or information is received that an awning may be structurally unsound Council will have no alternative but to invoke its statutory powers, in the interest of the public, to address the risk. Regulatory action to have this issue addressed may include the issue of orders to carry out the works, penalty infringement notice of **\$3000 for individual and \$6000 for companies** or court proceedings.

Council is empowered by the Environmental Planning and Assessment Act 1979., The Local Government Act 1993 and the Roads Act 1993 to issue Orders to ensure buildings do not pose a potential safety threat to the public.

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

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 has been placed on Council's web site www.krg.nsw.gov.au to assist you in the recommended procedure in this matter.

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

Should you have any further enquiries in this regard, please contact the above nominated officer on 9424 0000 between the hours of 8.30am and 10.00am Monday to Friday.

Yours Faithfully,

Building Certification Services
Ku-ring-gai Council