

ATTACHMENT G

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**COUNCIL OFFICER INSPECTION REPORT,
31-43 KING STREET, SYDNEY**

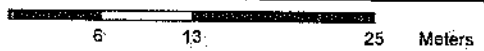
31-43 King Street, SYDNEY



King Street

Kent Street

Sussex Street



**Council officer Inspection and Recommendation Report
S.121ZD of the Environmental Planning and Assessment Act 1979**

File: X013416

Officer: T.Bowyer

Date: 5 February 2018

Premises: 31-43 King St, Sydney

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises 31-43 King Street, Sydney with respect to matters of fire safety.

The premises consist of a 17 storey residential building with a commercial tenancy located at ground level. The building is located on the corner of King Street and Kent Street in the Sydney Central Business District.

Council's records indicate the building has compliant annual fire safety certification in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

Council investigations have revealed that the premises are deficient in fire safety and egress provisions in the following areas:

- (i) Safe and effective emergency egress in the event of fire is deficient as automatic air pressurisation is not provided within the building's fire-isolated exit; and
- (ii) Provision to prevent fire spread, to such extent to allow occupants to evacuate safely is deficient as an automatic suppression (sprinkler) system is not installed in residential levels (5-17).

Council investigations have revealed that the premises are deficient in the provisions for fire safety and that an Order under Section 121B of the Environmental Planning and Assessment Act 1979 (the Act) is required to be issued so as to ensure and promote adequate facilities for fire safety/fire safety awareness.

Observation of the external features of the building did not identify the existence of metallic sheet cladding on the façade of the building.

Chronology:

Date	Event
01/02/18	<p>FRNSW correspondence received regarding premises 31-43 King Street, Sydney.</p> <p>This correspondence contained an Emergency Fire Safety Order 6, which was issued by FRNSW under s.121B of the Act.</p> <p>The Order was issued on 31 January 2018 and was sent to Council pursuant to s.121ZE of the Act.</p>
01/02/18	<p>An inspection of the subject building was undertaken. The inspection revealed that the majority of works listed in the emergency order had been completed.</p> <p>It was also observed that additional fire sprinkler coverage is required throughout residential levels 5-17 and in the residential units smoke detectors have been replaced with heat detectors. An audit of fire safety measures including the smoke detection and alarm system will be required as part of the intended Council order. This will ensure installation of suitable types of detectors and spacing.</p>

5/2/2018	Report prepared for Council meeting.
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FIRE AND RESCUE NSW REPORT:

References: BFS18/193 (2563); Trim: D18/6037

Fire and Rescue NSW conducted an inspection of the subject premises on 29 January 2018.

Issues

The report from FRNSW detailed there were fire safety matters that were identified as a significant concern to FRNSW. These matters were identified as constituting a serious risk to safety.

An Emergency Order was issued by FRNSW and a copy of this order was attached to FRNSW's correspondence. The correspondence also advised that a supplementary report will be provided to Council in due course.

FRNSW Recommendations

FRNSW have provided the above order under sections 119T, 121ZC, 121ZD and 121ZE of the Act.

COUNCIL OFFICER RECOMMENDATIONS:

Order(NOI) ✓	Emergency Order	Compliance letter of instruction	Cited Matters rectified	Other
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As a result of site inspections undertaken by Council Investigation Officer it is recommended that Council exercise its powers to give a notice of intention (NOI) for an Order 6 under section 121B of the Environmental Planning and Assessment Act, 1979 to address the fire safety deficiencies identified by FRNSW and Council's building officer.

The issue of a fire safety order will ensure that suitable fire safety systems are in position throughout the building to provide improved and adequate provisions for fire safety.

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

Referenced documents:

No#	Document type	Trim reference
A1	Fire and Rescue NSW Report dated 31 January 2018	2018/058254-01
A2	Locality Plan	2018/058254-02
A3	Attachment Coversheet	2018/058254-03

Trim Reference: 2018/058254

CSM Reference: 1842171



Fire & Rescue NSW

Unclassified

File Ref. No: BFS18/193 (2563)
TRIM Ref. No: D18/6037
Contact: [REDACTED]

31 January 2018

The Owners – Strata Plan No. 21116
GK Strata Management Pty Ltd
Suite 401, Level 4, 55 Mountain Street
BROADWAY NSW 2007

Dear Sir / Madam

**RE: EMERGENCY ORDER
'THE SAVOY'
31-43 KING STREET, SYDNEY("the premises")**

Pursuant to the provisions of Section 119T(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 29 January 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW).

At the time of the inspection there were fire safety matters that were identified as a significant concern to FRNSW, as the activity or deficiencies identified constitute an emergency or a serious risk to safety. As a result an Emergency Fire Safety Order (Order No. 6) is issued in accordance with the provisions of Section 121B of the EP&A Act (copy attached).

A report of the inspection and a copy of the Order will also be forwarded to The City of Sydney Council in accordance with the requirements of Sections 119T, 121ZC, 121ZD and 121ZE of the EP&A Act. Further inspections will be conducted by FRNSW to assess compliance with the terms of the Order.

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 (02) 9742 7434. Please ensure that you refer to file reference BFS18/193 (2563) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

Building Surveyor
Fire Safety Compliance Unit

CC: [REDACTED]

Unclassified

Fire & Rescue NSW

ABN 12 593 473 110

www.fire.nsw.gov.au

Community Safety Directorate
Fire Safety Compliance Unit

Locked Bag 12
Greenacre NSW 2190

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Page 1

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Emergency Fire Safety Order

Under the *Environmental Planning and Assessment Act 1979*
Part 6 - Implementation and Enforcement: Division 2A – Orders
Tables to Section 121B: Emergency Order No. 6 – Fire Safety Order

Please note:

- Pursuant to Section 121ZC (2) of the Act, this Order has been given as an Emergency Order as the issuing officer believes activity or deficiencies identified constitute an emergency or a serious risk to safety.
- Pursuant to Section 121ZK (2) of the Act, there is no right of appeal against this Order.
- Failure to comply with this Order may result in further Orders and/or fines being issued.
- Substantial penalties may be imposed under Section 125 of the Act for failure to comply with an Order.

I,

██████████
(name)

Building Surveyor
(rank)

██████████
(number)

being an authorised Fire Officer within the meaning of Section 121ZC of the *Environmental Planning and Assessment Act 1979*, and duly authorised for the purpose, hereby order:

The Owners – Strata Plan No. 21116
(name of person whom Order is served)

Owners
(position i.e. owner, building manager)

with respect to the premise

'THE SAVOY'
31-43 KING STREET, SYDNEY ("the premises")
 (name/address of premises to which Order is served)

to do, or refrain from doing, the following things:

1. Ensure the Automatic Smoke Detection and Alarm System installed in 'the premises' is:
 - a. Fully operational and continually monitors 'the premises'.
 - b. Connected to activate a building occupant warning system.
 - c. Automatically connected to a fire alarm monitoring system connected to a fire station or fire dispatch centre.
2. Ensure the Fire Sprinkler System installed in 'the premises' is:
 - a. Connected to activate a building occupant warning system.

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- b. Connected to automatically transmit an alarm signal, upon activation of the sprinkler system, to a fire brigade receiving centre or a to a constantly attended monitoring service with a direct data link to the fire brigade or fire brigade dispatch centre.
3. Upon completion of Item No. 1 obtain certification and appropriate documentation from a suitably qualified person or company, certifying that Automatic Smoke Detection and Alarm System operates to the standard of performance it was originally designed, installed and commissioned.
4. Upon completion of Item No. 2 obtain certification and appropriate documentation from a suitably qualified person or company, certifying that Fire Sprinkler System operates to the standard of performance it was originally designed, installed and commissioned.

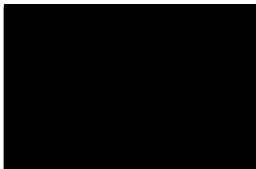
The terms of the Order are to be complied with:

By no later than **1200 hours** on the **7 February 2018**.

The reasons for the issue of this Order are:

- i. At the time of the inspection on 29 January 2018, the following was observed:
 - a. There was no power to the Fire Indicator Panel (FIP).
 - b. There was no Alarm Signalling Equipment (ASE) associated with either the Smoke Detection and Alarm System or the Fire Sprinkler System.
- ii. To ensure that the Automatic Smoke Detection and Alarm System is fully operational so that occupants are provided with early notification of a fire within the premises so that they may safely evacuate the premises in the event of a fire.
- iii. Without power to the Smoke Detection and Alarm System, occupants will be unaware of an emergency to allow timely evacuation. This may leave occupants trapped, as safe evacuation routes may be compromised.
- iv. An automated response will not be provided in a fire incident which will delay emergency services to respond in a timely manner.

This Order No. 6 was sent by mail on **31 January 2018**.



Building Surveyor
Fire Safety Compliance Unit

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Page 2

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