

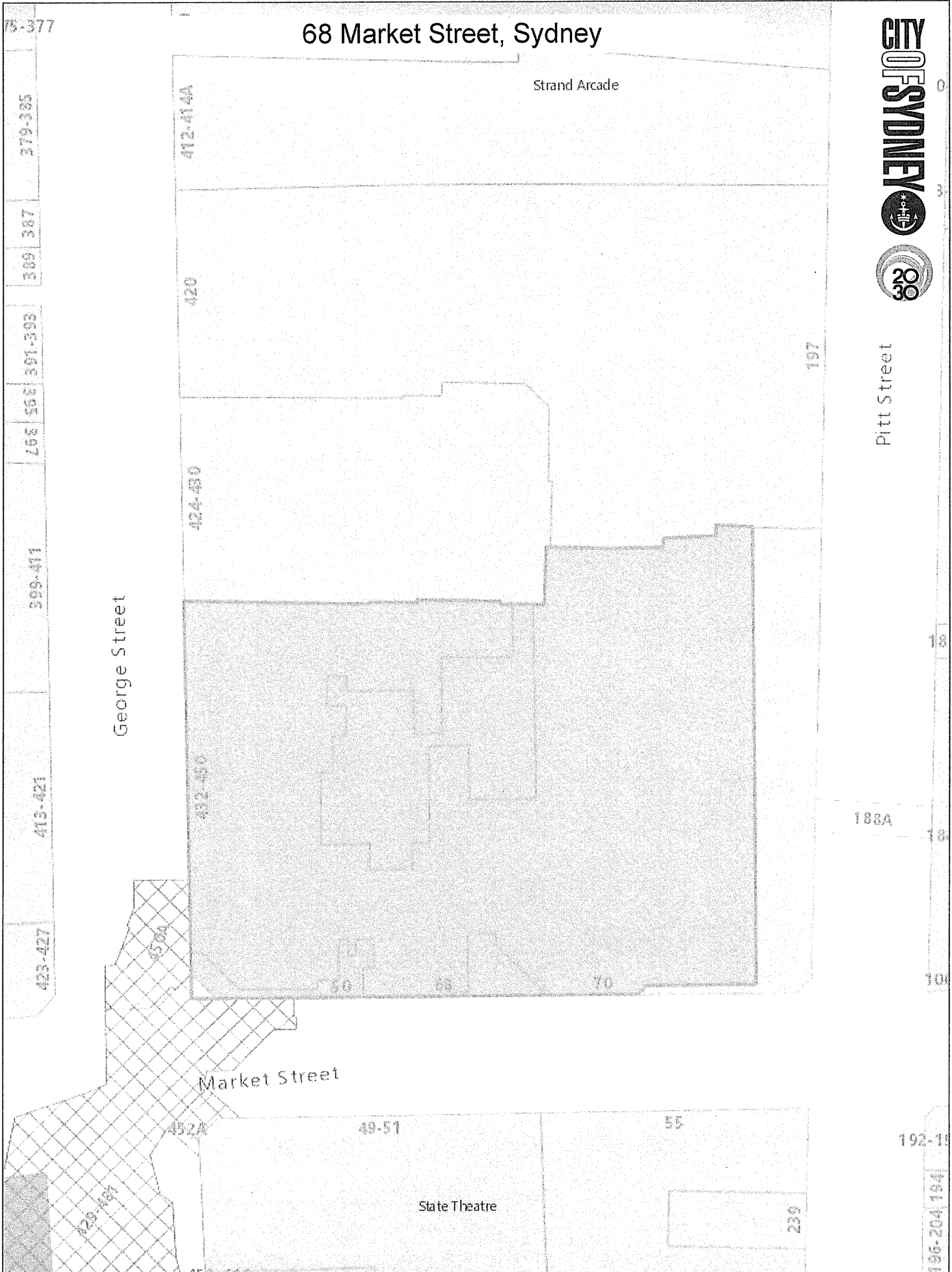
# **Attachment B**

**Council Officer Inspection Report,  
68 Market Street, Sydney**

# 68 Market Street, Sydney



Pitt Street



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1:750 at A4  
08/03/2018



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

**File:** 2018/103286-04

**Officer:** Joe Kalgovas

**Date:** 6 April 2018

**Premises:** 68 Market Street, Sydney

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**Executive Summary:**

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on 6 March 2018 with respect to matters of fire safety.

The premises consists of a thirty eight storey building used as shopping centre, hotel and apartments.

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

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building fire control room in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

Council investigations have revealed that whilst there remains several minor fire safety "maintenance and management" works to attend to such as pressure gauges and hydrant signage, the overall fire safety systems provided within the subject premises are considered adequate in the circumstances.

It is considered that the above fire safety works are of a degree which can be addressed by routine preventative and corrective maintenance actions undertaken by the owner's fire service contractor(s) through written instruction from Council.

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**Chronology:**

<b>Date</b>	<b>Event</b>
6/03/2018	FRNSW correspondence received regarding premises 68 Market Street Sydney.
12/03/2018	An inspection of the subject premises was undertaken by a Council officer and identified missing signage and pressure gauges.  Façade check was also undertaken in relation to external wall cladding.
14/03/2018	Desktop review undertaken.
6/04/2018	Contact made with site contractors regarding remedial maintenance requirements. Correction action correspondence issued.

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**FIRE AND RESCUE NSW REPORT:**

References: D17/86183, 2018/103286-04

Fire and Rescue NSW conducted an inspection of the subject premises after receiving an enquiry about the sound system and intercom system for emergency purposes.

Issues

The report from FRNSW detailed a number of issues, in particular noting:

1. The Annual Fire Safety Statement was not prominently displayed;
2. There was a lack of signage to do with the booster connections of the fire hydrant system.

FRNSW Recommendations

FRNSW have made three recommendations within their report. In general FRNSW have requested that Council:

1. Inspect the subject premises and take action to have the identified fire safety issues appropriately addressed;
2. Advise them in writing of its determination in relation to this matter in accordance with the provisions of schedule 5, clause 17 of the Environmental Planning and Assessment Act 1979
3. FRNSW has recommended that as Council are the regulatory authority the matter is referred for Council to take action to have the abovementioned items appropriately addressed.

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**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

Issue Order (NOI)	Issue emergency Order	Issue a compliance letter of instruction	Cited Matters rectified	Undertake compliance action in response to issued Council correspondence	Continue with compliance actions under the current Council Order	Other (to specify)
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As a result of site inspections and conversations undertaken by Council investigation officers and site personnel it is recommended that the owners of the building address and comply with the issued compliance letter of instruction and rectify the identified fire safety deficiencies noted by Council and FRNSW.

The above correspondence has instructed the responsible site personnel to carry out remedial actions to existing fire systems to cause compliance with required standards of performance.

Follow-up compliance inspections are currently being undertaken, and will continue to be undertaken by a Council investigation officer to ensure already identified fire safety matters are suitably addressed and that compliance with the terms of Councils correspondence and the recommendations of FRNSW occur.

It is recommended that Council not exercise its powers to give a fire safety order under Part 2 of Schedule 5 of the Environmental Planning and Assessment Act, 1979 at this point in time.

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

**Referenced documents:**

<b>No#</b>	<b>Document type</b>	<b>Trim reference</b>
A1.	Fire and Rescue NSW report	2018/103286
A2.	Locality Plan	2018/103286-03
A3	Attachment cover sheet	2018/103286-02

**Trim Reference:** 2018/103286-04**CSM reference No#:** 1861414



File Ref. No: BFS17/269 (0531)  
TRIM Ref. No: D17/86183  
Contact: Station Officer [REDACTED]

6 March 2018

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir/Madam,

**Re: INSPECTION REPORT  
'SWISSOTEL'  
68 MARKET STREET, SYDNEY ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- *Westfield and Swissotel staff had silenced the Sound System and Intercom System for Emergency Purposes in the fire control room prior to investigating the cause of alarm in the hotel.*

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 25 October 2017 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32 (4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

Unclassified

Fire & Rescue NSW

ABN 12 593 473 110

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Community Safety Directorate  
Fire Safety Compliance Unit

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## COMMENTS

The following items were identified as concerns during the inspection:

1. Annual Fire Safety Statement (AFSS) – A copy of the current AFSS was not prominently displayed within the building in accordance with Clause 177 of the EP&A Regulation.
2. The Fire Hydrant System - The following items were identified with the booster connections, contrary to the intent of Clause 7.10 of Australian Standard (AS) 2419.1-2005:
  - a. Three boost inlet connections were present in the cabinet. All pipework identified the connections as "MERCHANT COURT FIRE SERVICES". The doors of the cabinet were identified as serving 'The Swissotel'.  
  
FRNSW were unable to identify the area that each boost inlet served for operational purposes.
  - b. Boost pressure and test pressure signage was not provided at the booster assembly, contrary to the requirements of Clause 7.10.1 of AS 2419.1-2005.
  - c. Signage on the rear wall of the cabinet stated "SWISSOTEL BOOSTER NOT IN USE". FRNSW were unable to determine if the hotel is provided with protection of a hydrant installation in accordance with Clause E1.3 of the National Construction Code 2016 Volume One, Building Code of Australia (NCC).

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

## RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 through to item no. 2 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.



Unclassified

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact **Station Officer [REDACTED]** of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS17/269 (0531) for any future correspondence in relation to this matter.

Yours faithfully



Building Surveyor  
Fire Safety Compliance Unit

Unclassified

Fire & Rescue NSW

ABN 12 593 473 110

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