

# **Attachment E**

**Council Officer Inspection Report,  
141-147B King Street, Sydney**

Rowe Street

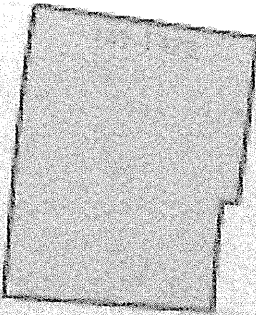
# 141-147B KING STREET, SYDNEY



Lees Court

King Street

Castlereagh Street



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1:750 at A4  
20/03/2018



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

**File: 1867561**

**Officer: Joe Kalgovas**

**Date: 22/03/2018**

**Premises: 141-147B King 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 with respect to matters of fire safety.

The premises consists of an eight storey building in use as commercial offices above shops at basement and street level. The subject site is a heritage item under the Sydney Local Environmental Plan 2012.

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

The annual fire safety certification for the building is current and compliant. The annual fire safety certification was on display within the building 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) Inadequate fire detection and alarm systems;
- (ii) A lack of adequate facilities for firefighting;
- (iii) Safe and dignified emergency egress for occupants to safely evacuate the building in the event of a fire

It is considered that the scope of the above fire safety rectification works are of a degree which will require a fire safety order to be issued so as to ensure and promote adequate facilities for fire safety/fire safety awareness.

The Order will be issued pursuant to section 9.34 and Schedule 5, Part 2 of the Environmental Planning and Assessment Act 1979.

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**Chronology:**

<b>Date</b>	<b>Event</b>
19/03/2018	Received FRNSW correspondence regarding premises 147A King Street Sydney on 19 March 2018. Council knows this building by address 141-147 B King Street Sydney.
21/03/2018	An inspection of the subject premises was undertaken by a Council officer. Façade check was also undertaken in relation to external wall cladding.
22/03/2018	Desktop review undertaken.

**FIRE AND RESCUE NSW REPORT:**

References: D18/14087; 2018/123599]

Fire and Rescue NSW conducted an inspection of the subject premises after receiving an enquiry about the adequacy of the provision for fire safety on 5 February 2018.

Issues

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

1. Access to hydrant pump room
2. Separation of and orientation of hydrant booster assembly
3. Location of and access to the sprinkler pump room
4. Smoke detection and alarm system compliance
5. Fire extinguisher and hose reel accessibility
6. Exit signage maintenance
7. Obstructions to and damaged exit doors

FRNSW Recommendations

FRNSW have made (11) 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. *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.***

FRNSW have also requested that as soon as practical after the above recommendations have been tabled and considered that notice of any determination in respect of the recommendations is forwarded to them in accordance with the provisions of the relevant sections of the Act (noting that these provisions are now known as clause 17(4) of Schedule 5 of the Environmental Planning and Assessment Act 1979).

**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)

As a result of a site inspection undertaken by Council investigation officers it is recommended that Council exercise its powers to give a notice of intention (NOI) for an Order 2, under Part 2 of Schedule 5 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:**

<b>No#</b>	<b>Document type</b>	<b>Trim reference</b>
A1.	Fire and Rescue NSW report	2018/142246-03
A2.	Locality Plan (cadastre please)	2018/142246-02
A3.	Attachment cover sheet	2018/142246-01

**Trim Reference:** 2018/142246

**CSM reference No#:** 1867561



File Ref. No: BFS18/279 (2640)  
TRIM Ref. No: D18/14087  
Contact: [REDACTED]

19 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  
'SYDNEY PARTY DECORATIONS'  
147A KING STREET, SYDNEY ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence on 5 February 2018, in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated, in part, that:

- *The premises has only a small area which is sprinkler protected.*
- *Only thermal detection has been provided to the premises.*
- *The premises has an extremely high and flammable fire load due to the nature of the products sold.*
- *Products are displayed on non-permanent fixtures whose integrity would be easily compromised in the event of a fire.*
- *Storage areas have been packed solidly to the ceiling level with products.*
- *All access/egress areas have been compromised by stock, leaving the shop difficult to navigate.*

Unclassified

Fire & Rescue NSW

ABN 12 593 473 110

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Please be advised that the inspection for 'the premises' was conducted prior to the amendments of the *Environmental Planning and Assessment Act 1979* (EP&A Act) on 1 March 2018. As such, all references to the relevant sections in this report are provided prior to the amendments of the EP&A Act.

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 9 February 2018 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.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 119T (4) and Section 121ZD (1) of the EP&A Act. Please be advised that Section 121ZD (2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

## COMMENTS

The following items were identified as concerns during the inspection:

### Essential Fire Safety Measures

#### 1. Fire Hydrant System

- a. The door hardware to the hydrant pump room at the rear of the premises, was not fitted with a 003 lock compatible with FRNSW access key, therefore access was not available at the time of inspection to determine whether the hydrant pump system and sprinkler system had been maintained and were capable of operating to the standards of performance from when they were first designed and installed.
- b. The fire hydrant booster assembly is not provided with a block plan, contrary to the requirements of Clause 7.11 of AS2419.1-2005.



- c. The hydrant booster assembly is affixed to the external wall of the building and does not appear to be separated from the building by a construction with a fire resistance rating of not less than FRL 90/90/90 for a distance of not less than 2m each side and 3m above the upper hose connections, contrary to the requirements of Clause 7.3 of AS2419.1-2005.
- d. The orientation of the fire hydrant booster assembly is positioned in such a way that does not facilitate the needs of the attending fire brigades to connect to the equipment to undertake firefighting operations, in contravention with the requirements of AS 2419.1-2005.
- e. Storz aluminium alloy delivery couplings, compatible with FRNSW equipment are not provided to all fire hydrant valve outlets, in contravention with the requirements of Clause 7.1 and 8.5.11.1 of AS 2419.1-2005.

## 2. Automatic Fire Suppression System

- a. The sprinkler (drencher) pump room is located within the building, underneath the main entry stairs to the premises, and is not provided with a door opening to a road or open space, or a door opening to a fire isolated passage or stair which leads to a road or open space, contrary to the requirements of Clause 4.11 of AS2118.1-1999 and Appendix D of AS2419-2013.
- b. Sprinkler system pump – The maintenance logbook indicates a number of issues requiring attention from an appropriate technician.

## 3. Smoke Detection and Alarm System

- a. Most detectors located throughout the premises are heat detectors, in lieu of smoke detectors, contrary to the requirements of Specification E2.2a(2)(b) of the NCC and Australian Standard (AS) 1670.3.
- b. A sign has been placed on the Fire Indicator Panel (FIP) requesting that occupants and/or NSW Fire Brigades either isolate or do not reset the FIP in the event of an alarm or fault.

4. Portable Fire Extinguishers (PFE) – Some PFEs throughout the premises were not readily accessible and not appropriately supported, contrary to the requirements of Clauses 3.2 & 3.5 of Australian Standard (AS)2444-2001.

5. Fire Hose Reel – Access to the fire hose reel within the premises was obstructed and the location signage was not clearly visible, contrary to the requirements of Clause 10 of Australian Standard AS2441-2005.

Unclassified

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6. Exit Signage – Some exit signage was not illuminated and not maintained, contrary to the requirements of Clause E4.8 of the National Construction Code, Volume One, Building Code of Australia (NCC), Section 6 of Australian Standard (AS) 2293.1-2005 and Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

Egress

7. Items were observed stored in the path of travel leading to the fire exit at the rear of the premises, on the stair leading to the rear fire exit door, causing an impediment to the free passage of persons, contrary to the requirements of Clause 184, 185 and 186 of the EP&A Regulation.
8. The push bar to the final doorway forming part of the fire exit at the rear of the premises was broken and the doorway contained locking devices which were capable of being locked with a key, contrary to the requirements of Clause D2.21 of the NCC.
9. The final doorway forming part of the building's fire exit, from the rear exit door of the premises on to the rear lane leading to the exit at Castlereagh Street, operates with a push button device which has been partially blocked, obstructed by stored items and was not clearly signed.
10. The double fire doors located at the top of the stairs from the required exit adjacent to the customer service counter within the premises, fails return to the fully closed position after opening, contrary to the requirements of Clause 3.4 of the NCC and Clause 2.3 of AS1905.1:2015.

General

11. A copy of current annual fire safety statement (AFSS) and a copy of the fire safety schedule were not prominently displayed in the building, contrary to the requirements of Clause 177 of the EP&A Regulation.

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



## RECOMMENDATIONS

FRNSW recommends that Council:

Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 through to item no. 11 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 Section 121ZD (4) of the EP&A Act.

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 BFS18/279 (2640) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

Building Surveyor  
Fire Safety Compliance Unit

Unclassified

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