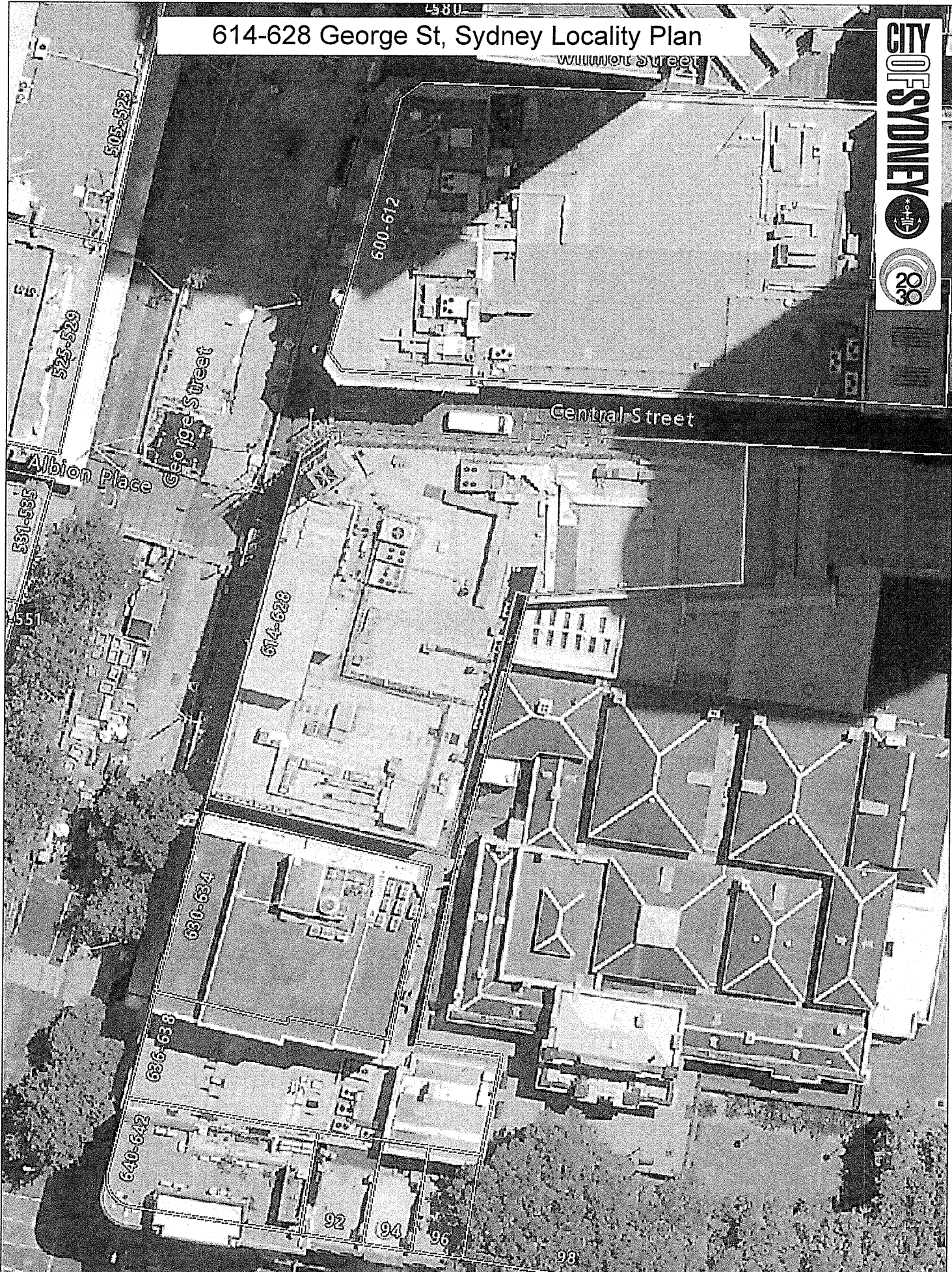


Attachment G

**Council Officer Inspection Report -
614-628 George Street, Sydney**

614-628 George St, Sydney Locality Plan



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1:500 at A4
10/09/2018



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

File: CSM1942025

Officer: Thomas Bowyer

Date: 11/09/2018

Premises: 614-628 George Street, Sydney "Mizuya Karaoke"

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.

Specifically the correspondence related to matters of fire safety concerning the Mizuya Karaoke on the basement level of the building.

The premises is located within a two storey building located on the corner of George Street and Central Street, Sydney. The building contains entertainment and retail uses including a number of licensed premises which are; "Mizuya" and "Metro Theatre".

The building design incorporates performance features (fire safety) which sets it apart from traditional compliance with the Building Code of Australia.

The subject premises is affected by a fire safety order (issued 2 December 2014 and modified 3 May 2017) which is currently in the latter stages of being complied with.

An inspection of the premises undertaken by a Council investigation officer in the presence of the facilities manager revealed that there are no new (additional) significant fire safety issues that would lie outside the scope of the present order.

It is considered that the items identified by FRNSW have been addressed by the scope of works specified under the above order.

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

Chronology:

Date	Event
20/08/2018	FRNSW correspondence received regarding premises Mizuya Karaoke at 614 George Street, SYDNEY.
22/08/2018	Desktop review identified that the building was affected by an existing fire safety order served 2 December 2014 and modified 3 May 2018.
30/08/2018	An inspection of the subject premises was undertaken by a Council officer who found that the majority of the works required under the order appear to have been completed and that a detailed review of the certification documentation needed to be carried out to establish complete compliance.
11/09/2018	Report prepared for Council meeting.

FIRE AND RESCUE NSW REPORT:

References: BFS18/483 (8000002832); TRIM D18/88326

Fire and Rescue NSW conducted an inspection of the subject premises on 8 December 2017. The inspection report relevant to this inspection is dated 20 August 2018 and was provided to the City on 20 August 2018.

Issues

The report for FRNSW detailed:

1. Kitchen and cleaning products were being stored in the fire isolated stairs; and
2. Statutory exit signage was not provided in accordance with the Regulations.

FRNSW Recommendations

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

1. *Council seek the submission of a BCA audit report for the premises, prepared by an A1 accredited certifier, detailing the non-compliances relative to Parts C1, C2, C3, Parts D1, D2 and Parts E1, E2 and E4 of the BCA.*
 2. *In its capacity as the regulatory authority take action to have the abovementioned items appropriately addressed.*
 3. *Advise them its determination in relation to this matter in accordance with the provisions of 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	Continue to undertake compliance action in response to issued Council correspondence	Continue with compliance actions under the current Council Order	Other (to specify)

That Council note that the owners of the building have already been served with an Order under the requirements of the Environmental Planning and Assessment Act, 1979.

The issued fire safety order once deemed compliant will provide the occupants of the premise with adequate provisions for fire safety.

Follow-up compliance activities are being undertaken by a Council officer to ensure identified fire safety matters are suitably addressed and that compliance with the terms of Council's Order are met.

It is recommended that Council not exercise its powers to give an order at this time, having regard to the existing Order mentioned in this report.

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	2018/474160-01
A2.	Locality Plan	2018/474160-02
A3	Attachment cover sheet	2018/474160-03

Trim Reference: 2018/474160

CSM reference No#: 1942025



Fire & Rescue NSW

Unclassified

File Ref. No: BFS18/483 (8000002832)
TRIM Ref. No: D18/88326
Contact: Senior Firefighter [REDACTED]

20 August 2018

The General Manager
The Council of the City of Sydney
GPO Box 1591
SYDNEY NSW 2001

council@cityofsydney.nsw.gov.au

Dear Sir/Madam

**Re: INSPECTION REPORT
MIZUYA KARAOKE
614 GEORGE STREET SYDNEY (the premises)**

Pursuant to Section 119T(1) of the *Environmental Planning and Assessment Act 1979* (the *Act*), an inspection of the *premises* was conducted on 8 December 2017 by authorised fire officers from the Fire and Rescue NSW (FRNSW) Fire Safety Branch in the company of representatives of the NSW Police Force and the Council of the City of Sydney.

It should be noted that the inspection of the *premises* was conducted prior to the amendments of the *Act* on 1 March 2018. As such, all references to sections and any relevant provisions in this report have been made in accordance with the provisions in force at the time and prior to the commencement of the amending legislation.

The inspection of the *premises* was limited to the following:

1. A visual inspection of the essential fire safety measures as identified in this report only. This report is based on a visual, non-invasive inspection of the statutory fire safety measures installed in the building as listed on the fire safety schedule to which safe and reasonable access was available and permitted on the date and time of the inspection
2. 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.

Fire & Rescue NSW

Community Safety Directorate
Fire Safety Command Liaison Unit

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

Comment

The following items were identified as concerns during the inspection:

1. Kitchen and cleaning products were being stored in the fire isolated stairs.
2. Statutory signage outlining the offences relating to fire exits was not displayed adjacent to the doorways providing access to the fire-isolated stairways or passageways.

Due to the observations listed above the authorised fire officers believe adequate provision for fire safety has not been made in or in connection with the building.

Recommendations

FRNSW recommend the following:

- a. Council seek the submission of a BCA audit report for the premises, prepared by an A1 accredited certifier, detailing the non-compliances relative to Parts C1, C2, C3, Parts D1, D2 and Parts E1, E2 and E4 of the BCA.
- b. Council seeks to address any deficiencies associated with the observations listed above.

This matter is referred to Council as the appropriate regulatory authority. FRNSW awaits Council's advice regarding its determination in accordance with Section 121ZD(4) of the Act.

Should you have any further enquiries regarding any of the above matters, please contact the Fire Safety Branch.

Yours faithfully



Senior Firefighter
Team Leader
Fire Safety Command Liaison Unit

Unclassified

Fire & Rescue NSW

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