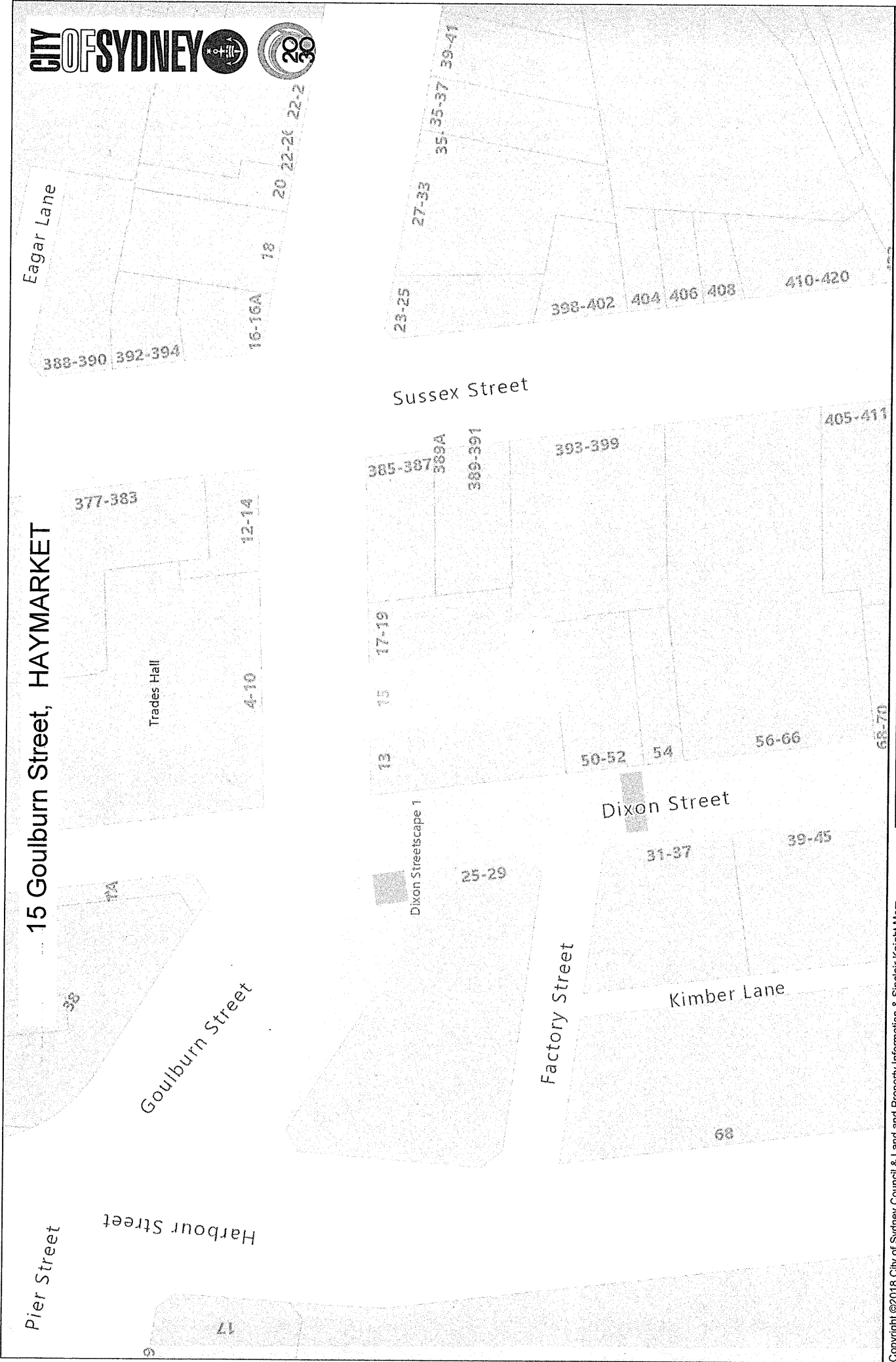


Attachment H

**Council Officer Inspection Report -
15 Goulburn Street, Haymarket**

15 Goulburn Street, HAYMARKET



Meters

75

38

19

1:750 at A4

28/08/2018

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

CSM: 1942132

Officer: Tracey McCann

Date: 11 September 2018

Premises: 15 Goulburn Street, HAYMARKET – Sugar Karaoke Bar

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 a three (3) storey building used as a retail (Class 6) restaurant and a public assembly (Class 9b) karaoke bar/ lounge and a martial arts training studio.

The ground floor comprises prominently of a restaurant, known as 'Mamak'. Level one (1) (being the subject of this report), consists of a karaoke bar/ lounge known as 'Sugar' and level two (2) is currently being used as a martial arts training studio.

Due to the timing and receipt of correspondence from FRNSW and site access issues, level one (1) is yet to be inspected by a City investigation officer to enable the issues raised by FRNSW to be properly investigated.

Consequently in this instance it will be recommended that the FRNSW report be tabled only and that a determination of proposed action be deferred for consideration at the next meeting of Council.

A detailed inspection of level one (1) will be conducted as soon as possible and compliance action undertaken consistent with the inspection outcomes.

Chronology:

Date	Event
20/08/2018	FRNSW correspondence received regarding premises 15 Goulburn Street, SYDNEY NSW 2000 [known under Council's records as 15 Goulburn Street, HAYMARKET NSW 2000].
22/08/2018	An initial desktop review of the subject building revealed that it has a fire safety schedule and is required to submit annual fire safety statements to Council and FRNSW. The building has a current compliant annual fire safety statement, with the next one due on 18 th May 2019.
29/08/2018	Council attempted inspection of building but full site access was not made available.
11/09/2018	Report prepared, to table FRNSW report to Council meeting scheduled on 29 October 2018.

FIRE AND RESCUE NSW REPORT:

References: [BFS18/481(D18/37739); 2018/439572]

Fire and Rescue NSW (FRNSW) conducted an inspection of the subject premises with NSW Police Force & Council Officers on 08 December 2017 in accordance with Section 119 T(1) of the Environmental Planning and Assessment Act 1979 (the Act).

It should be noted that the inspection of the premises conducted by FRNSW, was carried out prior to the amendments of the Act (which occurred on 1 March 2018). As such, all references to sections and any relevant provisions in their report have been made in accordance with the provision in force at the time and prior to the commencement of the amending legislation.

Issues

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

1. Operational aspects of existing smoke and building occupant warning system;
2. Maintenance aspects of emergency lighting;
3. The storage of combustible / flammable goods within the fire isolated passageway.

FRNSW Recommendations

FRNSW have recommended that Council, being the appropriate regulatory authority, seek to address any deficiencies associated with the issues identified above.

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 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 with compliance actions under the current Council Order	Council investigation officer inspect the building and prepare a further report for the next meeting of Council

It is recommended that the FRNSW report be tabled with a recommendation stood over to the next meeting of Council.

A further Council investigation officer report is to be submitted to the next meeting of Council which shall contain the appropriate compliance recommendation.

In the interim suitable compliance actions such as site inspection, property owner discussions and compliance directions as deemed necessary are to be instigated by Council's investigation officer to address and act on any fire safety matters found.

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

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	2018/439572
A2.	Locality Plan	2018/439572-01
A3	Attachment cover sheet	2018/439572-02

Trim Reference: 2018/439572

CSM reference No#: 1942132



File Ref. No: BFS18/481 (8000002830)
TRIM Ref. No: D18/37739
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
SUGAR
15 GOULBURN 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.



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. Installed smoke alarms hanging from wall, do not appear to be capable of activating building occupant warning system.
2. Emergency lighting in fire isolated passageway not being maintained.
3. Garbage bags and garbage bins being stored in fire isolated passageway.

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

