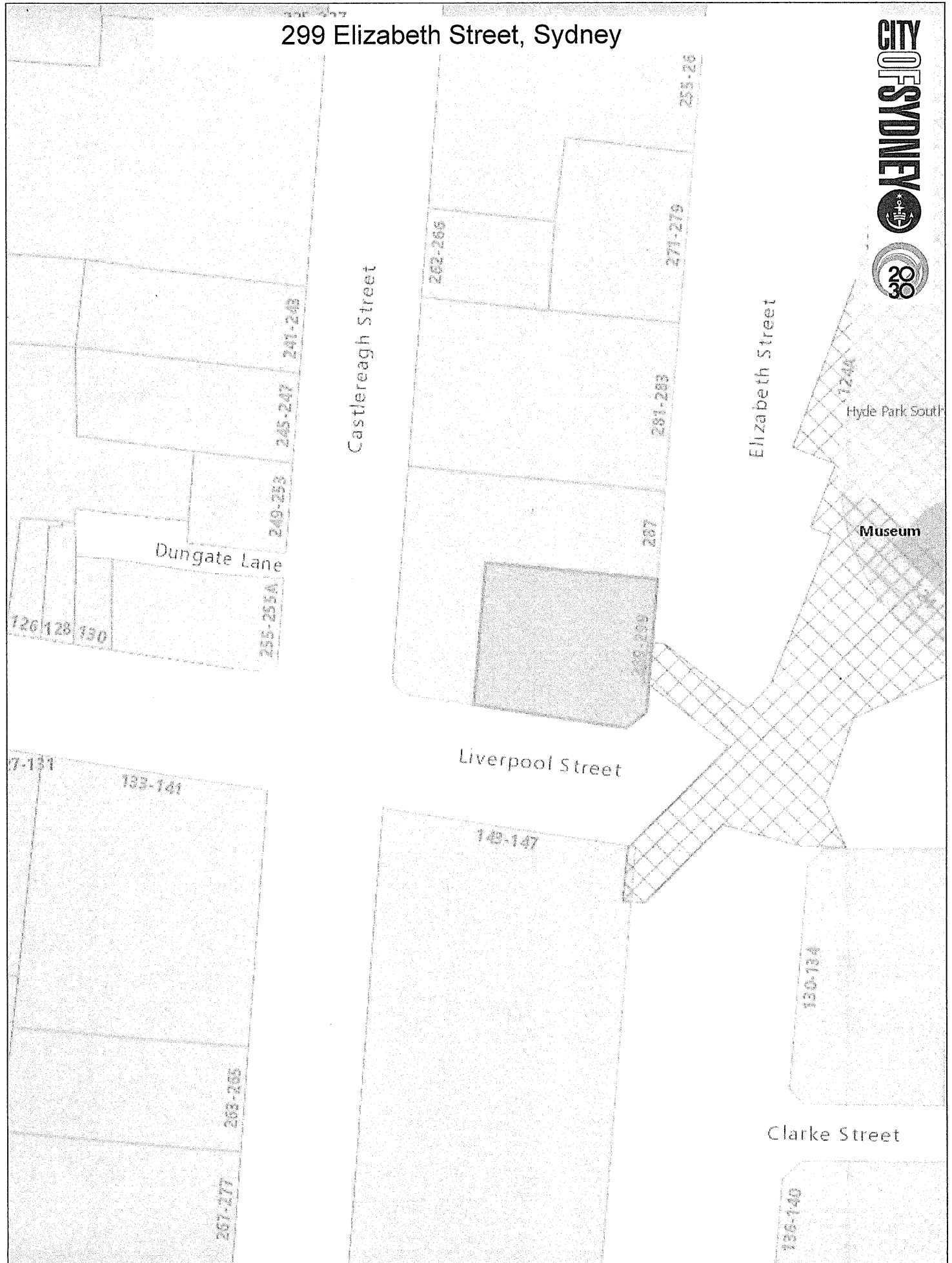


Attachment D

**Council Officer Inspection Report -
299 Elizabeth Street, Sydney**

299 Elizabeth Street, Sydney



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1:750 at A4
17/09/2018



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

File: CSM 1949660

Officer: Joe Kalgovas

Date: 21/09/2018

Premises: 299 Elizabeth Street, Sydney

Executive Summary:

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

Council at its meeting to be held on 29 October 2018 are to consider a report at Attachment N (to the fire safety report) and to determine that a further report would be provided to the next meeting of Council, as at the time of drafting the report, a full and detailed inspection of the subject premises had yet to be undertaken to enable an appropriate compliance recommendation to be made.

Council officers have since been able to inspect the subject premises and assess the premises provisions for fire safety.

The initial correspondence from FRNSW referred to 229-249 Elizabeth Street, however after inspection and further correspondence with FRNSW it was corrected to 299 Elizabeth Street.

The premises consists of a high-rise commercial building with the approved uses being offices with small shops at ground floor level and basement car parking.

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) Safe and dignified emergency egress for occupants to safely evacuate the building in the event of a fire.

Council investigations have revealed that the premises are deficient in the provisions for fire safety and that a fire safety order is required to be issued under Schedule 5 of the Environmental Planning and Assessment Act, 1979 to ensure and promote adequate facilities for fire safety/fire safety awareness

Chronology:

Date	Event
3/09/2018	FRNSW correspondence received regarding premises level 5, 229 Elizabeth Street, Sydney (this address was the original street address given by FRNSW)
10/09/2018	An inspection of the subject (listed address) premises was undertaken by a Council officer- the inspection did not identify issues raised by FRNSW, nor were there any building similarities with listed building and the site inspected.
10/09/2018	Report prepared for Council with a recommendation for the matter to be stood over to the next meeting (as there was a query about the actual given street address)
17/09/2018	Site inspection of 299 Elizabeth Street undertaken after FRNSW advised of correct address for building at issue.

FIRE AND RESCUE NSW REPORT:

References: D18/61536, 2018/463194

Fire and Rescue NSW conducted an inspection of the subject premises after receiving correspondence about the adequacy of the provision for fire safety in connection with the premises.

Issues:

The report from FRNSW detailed two issues, in particular noting:

1. Annual Fire Safety Statement was not prominently displayed at the premises contrary to the requirements of Clause 177 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg).
2. Smoke detectors are not installed in the Chinese Visa Application Centre occupancy on Level five (5) of the building to activate a zone smoke control system in accordance with Table E2.2 of the National Construction Code 2016 Volume One, Building Code of Australia (NCC) and Clause 4.10 of Australian Standard (AS) 1668.1.

FRNSW Recommendations:

FRNSW have made one recommendation within their report. In general FRNSW have requested that Council;

1. Inspect and address any other deficiencies identified on the premises, and require issues above to be addressed appropriately.

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)

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 a fire safety order to be issued under 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:

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2018/495801-01
A2.	Locality Plan	2018/495801-02
A3	Attachment cover sheet	2018/495801-03

Trim Reference: 2018/495801

CSM reference No#: 1949660



File Ref. No: BFS18/531 (2876)
TRIM Ref. No: D18/61536
Contact: Station Officer [REDACTED]

31 August 2018

General Manager
City of Sydney
GPO Box 1591
SYDNEY NSW 2001

Email: council@cityofsydney.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir/Madam,

**Re: INSPECTION REPORT
LEVEL 5, 229 ELIZABETH 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:

- *Second exit door blocked by sign*
- *Over 100 people regularly waiting for visas in space clearly designed for many less on 5th floor of office building. Exits not very clearly marked. Staff shrugged shoulders when risk of overcrowding and blocked exit raised with them.*

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 16 May 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (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.

FIRE AND RESCUE NSW

ABN 12 593 473 110

www.fire.nsw.gov.au

Community Safety Directorate
Fire Safety Compliance Unit

1 Amarina Ave,
Greenacre NSW 2190

T (02) 9742 7434
F (02) 9742 7483

firesafety@fire.nsw.gov.au

Unclassified

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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.

COMMENTS

The following items were identified during the inspection:

1. Essential Fire Safety Measures

1A. An Annual Fire Safety Statement was not prominently displayed at the premises contrary to the requirements of Clause 177 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg).

1B. Smoke Detection and Alarm Systems

a) Smoke detectors are not installed in the Chinese Visa Application Centre occupancy on Level five (5) of the building to activate a zone smoke control system in accordance with Table E2.2 of the National Construction Code 2016 Volume One, Building Code of Australia (NCC) and Clause 4.10 of Australian Standard (AS) 1668.1.

2. Access and Egress

2A. At the time of the inspection, all exit doors on Level five (5) were operational and unobstructed.

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 of this report be addressed appropriately.

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 BFS18/531 (2876) for any future correspondence in relation to this matter.

Yours faithfully



Acting Team Leader
Fire Safety Compliance Unit

FIRE AND RESCUE NSW

ABN 12 593 473 110

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Unclassified

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