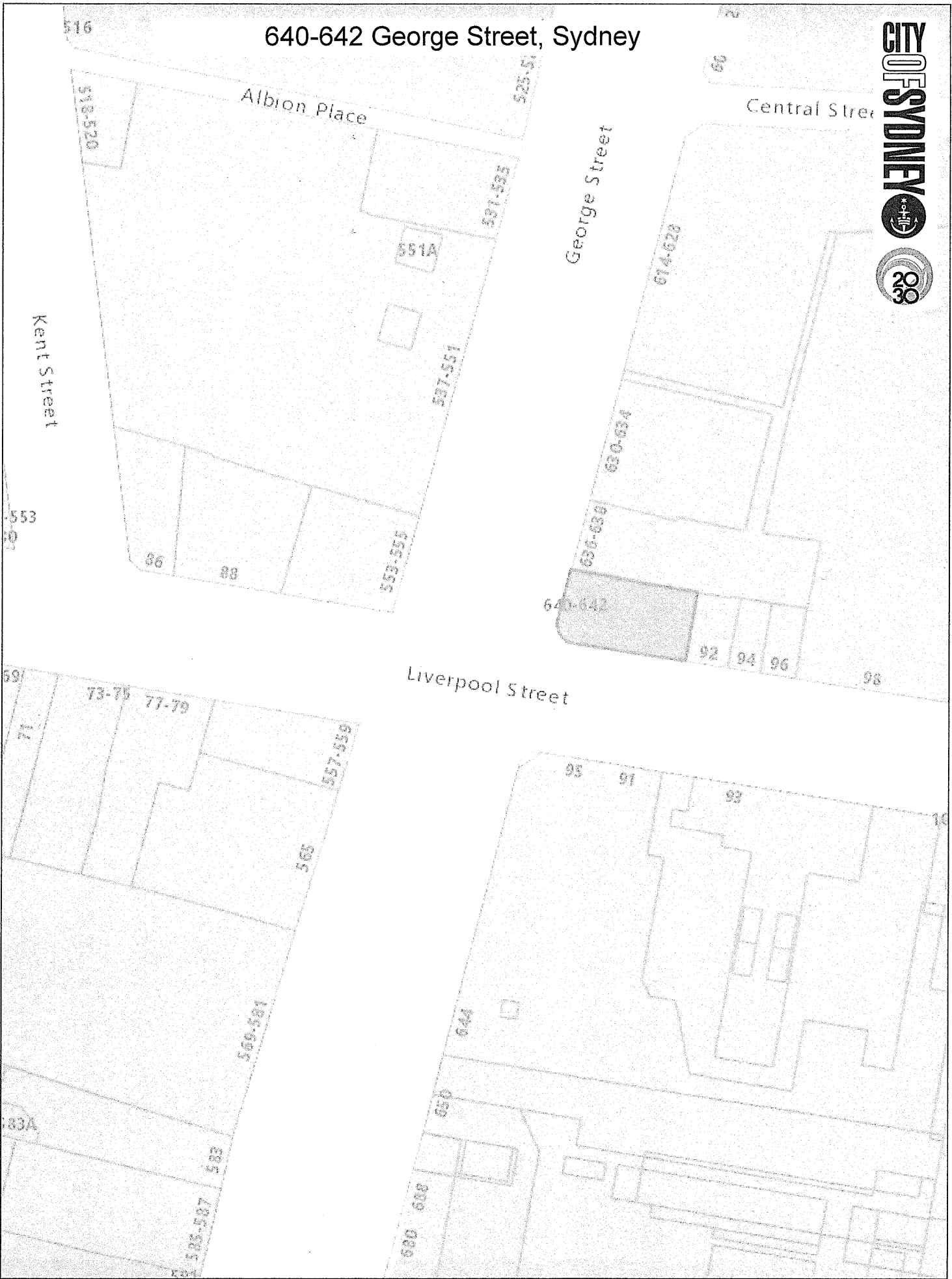


# **Attachment E**

**Council Officer Inspection Report -  
640-642 George Street, Sydney**

# 640-642 George Street, Sydney



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1:750 at A4  
23/10/2018



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

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**File: BP/2014/14**

**Officer: G. Scotton**

**Date: 31 October 2018**

**Premises: 640-642 George 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 a six storey commercial building, which includes a two hotel levels, a ground floor/basement level bank, and three uppermost levels of backpackers accommodation known as the Capsule Hotel.

Council records indicate the building was erected circa 1940, and is a Heritage Item noted for its Inter war Art Deco style, as listed in the Sydney LEP 2012. The backpackers use was the subject of a development consent for renovations in June 2016, and an occupation certificate was issued for the renovations by a private certifier in May 2017. The building does not contain external cladding.

Council investigations have revealed that the premises are deficient in fire safety and egress provisions in relation to inadequate fire safety management systems in place. An inspection of the premises undertaken by a Council investigation officer in the presence of the building manager revealed that there was a failure to maintain some fire safety measures within the building.

The premises are equipped with eighteen fire safety measures, both active and passive, that would provide adequate provision for fire safety for occupants in the event of a fire. Certain fire safety measures in the building are the subject of fire engineer's report. The annual fire safety certification is current and compliant and is displayed within the building pursuant to the requirements of the Environmental Planning and Assessment Regulation 2000.

Council investigations have revealed that there are some fire safety maintenance and management works to attend to, including repair and fitting of self-closing devices to many of the fire doors to the fire exit stairs in the building.

The owner is currently arranging for replacement of the fire doors due to various defects with the doors, and this work is subject to supervision by the private certifier. The issues in the FRNSW report have been brought to the attention of the certifier, who is advising the owner in the matter.

Overall fire safety systems provided within the subject premises are considered adequate in the circumstances, subject to rectification of the fire door closers.

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 through written instruction from Council.

The matters have been discussed with the building manager, who indicated agreement to arrange prompt resolution of the matters.

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**Chronology:**

Date	Event
17/10/2018	FRNSW correspondence dated 17/10/2018 received regarding premises referred to as Capsule Hotel referred to as 640 George Street, Sydney. A records review showed the premises address is 640-642 George Street, Sydney. The correspondence referred to an inspection carried out by FRNSW on 17/01/2018.
25/10/2018	An inspection of the subject premises was undertaken by a Council officer in company of the duty manager, when it was noted that: -numerous fire doors to fire exits were not self-closing so as could permit the entry of smoke and fire into the fire exit stairs -the external fire alarm strobe light was present and not damaged -other fire safety measures were adequately maintained in accordance with the fire safety schedule, including fire hydrants, and the fire indicator panel, which showed no faults or isolations
31/10/2018	Written compliance instruction/caution issued on building owners

**FIRE AND RESCUE NSW REPORT:**

References: [D18/71147; 2018/543298-03]

Fire and Rescue NSW conducted an inspection of the subject premises on 17 January 2018.

Issues: The report from FRNSW detailed observations of fire extinguishers present which did not meet Australian Standard requirements, a damaged fire alarm strobe light, Ordinance 70 standard fire hydrants and missing self-closing devices to fire doors.

FRNSW Recommendations.

FRNSW have recommended that Council inspect the subject premises and appropriately address noted (and other) deficiencies identified within their report.

**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 site inspections undertaken by Council investigation officers the owner of the building has been issued with a written instruction (and accompanied caution) to rectify identified fire safety deficiencies noted by Council.

The above written instructions have directed the owners of the premises 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 officer to ensure all identified fire safety matters are suitably addressed and that compliance with the terms of Council's correspondence occur.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

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

**Referenced documents:**

<b>No#</b>	<b>Document type</b>	<b>Trim reference</b>
A1	Fire and Rescue NSW report	2018/543298-03
A2	Locality Plan	2018/543298-02
A3	Attachment cover sheet	2018/543298-01

**Trim Reference:** 2018/543298**CSM reference No.:** 1969134



File Ref. No: FRN13/7563  
TRIM Ref. No: D18/71147  
Contact: [REDACTED]

17 October 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  
THE CAPSULE HOTEL  
640 GEORGE STREET, SYDNEY ("the premises")**

Pursuant to the provisions of Section 119T of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 17 January 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

Please be advised that the inspection of 'the premises' was conducted prior to the amendments of the 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.

The inspection was limited to the following:

- A visual inspection of the Capsule Hotel and 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](http://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](mailto:firesafety@fire.nsw.gov.au)

Unclassified

Page 1 of 4



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

Please note, that this report is limited to observations and sections of the building accessed at the time of the inspection. As such, this report lists potential deviations from the National Construction Code 2016 Building Code of Australia - Volume 1 (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed outline concerns that may contradict development consent approval or correlate to the building's age. In this regard, it is council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

The following was identified during the inspection:

### 1. Description of the Capsule Hotel

1A. The Capsule Hotel is located on Level 3 through to Level 5 of the premises, with entry accessed from the ground floor off Liverpool Street.

1B. The hotel offers capsule style budget accommodation.

1C. There are approximately 70 capsules in total, contained within six (6) rooms.

1D. Each room contains between 6 to 16 capsules.

1E. Smoke detection is provided throughout the premises.

1F. Each capsule contained a:

- i. Smoke detector – It was reported that the smoke detector forms part of the building's smoke detection and alarm system, which is connected to a fire alarm monitoring system (alarm signalling equipment [ASE]).
- ii. Strobe light – It was reported that the strobe was linked to the smoke detection system.
- iii. Small portable fire extinguisher (PFE) – The PFE had identification stating '*FlameFighter – Auto Fire Extinguisher*', however, there was no reference on the PFE to Australian Standard 2444.

Notwithstanding the above, the following items were identified as concerns during the inspection:

## 2. Generally

2A. Storz couplings – Storz couplings compatible with FRNSW firefighting hose connections were not provided to all fire hydrant valves throughout the premises, contrary to the requirements of Clauses 3.1 and 8.5.11.1 of AS2419.1–2005, Clauses 1.2 and 3.4 of AS2419.2–2009 and Clauses 1.2 and 3.5 of AS2419.3–2012, as detailed in 'FRNSW Fire safety guideline, Technical information – FRNSW Compatible hose connections – Document no. D15/45534 – Version 07 – Issued 12 June 2018'.

2B. External Alarm Indication – The red strobe located on the outside of the building on Liverpool Street was damaged and not working, requiring replacement so that it would be able to operate to indicate a fire alarm, in accordance with the requirements of Clause 3.8 of AS1670.1–2015.

2C. Door chocks were holding open fire doors leading off the central stairway from each floor, prohibiting the doors from self-closing, contrary to the requirements of Clause C3.8 of the NCC.

The door chocks were removed by management at the time of the inspection and modification made to some of the door latching mechanisms, so the doors could return to the fully closed position after each opening.

2D. The manager advised that the business obtained a development consent for work and use, prior to trading as 'The Capsule Hotel', although particular details regarding the consent could not be ascertained (e.g. whether the capsules were considered as a SOU or the room in which they are contained).

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. 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 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 FRN13/7563 for any future correspondence in relation to this matter.

Yours faithfully



[REDACTED]

Building Surveyor  
Fire Safety Compliance Unit