

# **Attachment M**

## **Council Officer Inspection Report - 388 Pitt Street, Sydney**

# 388 Pitt Street Sydney



Pitt Street

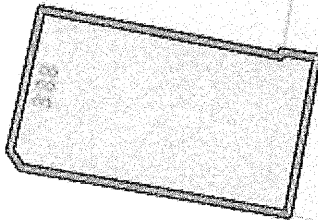
Carruthers Place (Private)

372-374

382-380-378-376

382A

386



Goulburn Street

Pitt Street

403-427

398-408

390-396

91

97-99 99A

301

9-429A

414-418

Castlereagh Street



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

**File: S074360**

**Officer: G. Scotton**

**Date: 31 October 2018**

**Premises: 388 Pitt Street, Sydney**

---

**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 consist of a four storey hotel known as the Civic Hotel, located on the North Eastern corner of Goulburn Street, which includes a ground floor licenced hotel; first floor level restaurant, second floor level breakfast area, third floor level offices, and a basement level club.

The building shares fire safety facilities with the adjoining IBIS Hotel located at 386 Pitt Street, and both buildings are considered united under Part A4 of the National Construction Code 2016, Volume One, Building Code of Australia, Amendment 1 (NCC).

The building does not contain external cladding.

The premises are identified as a Heritage Item under Council's Local Environmental Plan 2012, noted for its high aesthetic significance, being of Inter-War Functionalist style, built circa 1940.

The requirements of a fire safety Order served on the owner of the abovementioned premises/ adjoining premises in 2010, was completed in 2011.

An extensive fire safety schedule relating to the premises which also includes measures relating to the IBIS Hotel, includes twenty two fire safety measures, both active and passive, that would provide adequate provision for fire safety for occupants in the event of a fire.

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.

Overall fire safety systems provided within the subject premises are considered adequate in the circumstances.

Notwithstanding the above, the premises does carry some subsidiary fire safety and egress compliance matters relative to fire safety management systems.

An inspection of the premises undertaken by a Council investigation officer in the presence of the building manager revealed that certain exits were capable of being key locked; some fire exit offence notices were missing, and some exit signage required routine maintenance.

---

**Chronology:**

Date	Event
24/10/2018	FRNSW email received attaching a letter dated 18/10/2018 relating to a FRNSW inspection of the premises on 2/8/2018
30/10/2018	During an inspection of the premises a City investigation officer noted that: -the electromagnetic device referred to was in place, not damaged, and appeared operational

	-certain exits were capable of being key locked, although they were not locked during the inspection, and the Civic Hotel manager advised that they are not locked whilst the building is occupied -certain exit signage was found to require minor maintenance -some offences signage was missing to a fire exit stair
31/10/2018	Building owners issued with corrective action correspondence

### **FIRE AND RESCUE NSW REPORT:**

References: [D18/75014; 2018/559386-03]

FRNSW noted made two observations during the FRNSW inspection of the premises on 2/8/2018.

#### **Issues**

The report from FRNSW made comment on two fire safety issues:

1. A electromagnetic hold open device to fire doors was broken;
2. No locked fire exits were found.

The comments were provided for information in accordance with Schedule 5, Part 8, clause 17 (1) (a) of the Environmental Planning and Assessment Act, 1979.

#### **Recommendations**

FRNSW have made no direct recommendation within their report other than legislative notification.

### **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 and conversations undertaken by Council investigation officers and site personnel it is recommended that the owners of the building address and comply with the issued compliance letter of instruction and rectify the identified fire safety deficiencies noted by Council and FRNSW.

The above correspondence has instructed the responsible site personnel to carry out corrective actions to existing fire systems to cause compliance with required standards of performance.

It is recommended that Council not exercise its powers to give a fire safety order under Part 2 of Schedule 5 of the Environmental Planning and Assessment Act, 1979 at this point in time.

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

**Referenced documents:**

No#	Document type	Trim reference
A1	Fire and Rescue NSW report	2018/559386-03
A2	Locality Plan	2018/559386-02
A3	Attachment cover sheet	2018/559386-01

**Trim Reference:** 2018/559386**CSM reference No.:** 1972335



File Ref. No: BFS18/1908 (4111)  
TRIM Ref. No: D18/75014  
Contact: Station Officer [REDACTED]

18 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  
CIVIC HOTEL  
388 PITT 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:

- *They locked fire exits around the building, Clear exit signs above doors. But they locked 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 2 August 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.

Please be advised that details of this inspection have been provided in accordance with Section 9.32(4) of the EP&A Act. Therefore, on behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Schedule 5, Part 8, Section 17(1)(a) of the EP&A Act.

## COMMENTS

The following items were identified during the inspection:

1. One of the magnetic hold open devices installed on the doors separating the restaurant from the fire stairs was broken.
  - a. FRNSW received correspondence and images from The General Manager of the premises, showing the device has been repaired.
2. At the time of the inspection, FRNSW did not observe any locked doors.

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 BFS18/1908 (4111) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

Acting Team Leader  
Fire Safety Compliance Unit