

Attachment B

**Inspection Report - 15-17 Hunter
Street, Sydney**

15-17 Hunter Street SYDNEY



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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)**

File: CSM 2027742

Officer: Hieu Van Luu

Date: 18 February 2019

Premises: 15-17 Hunter Street Sydney

Executive Summary

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises at 15-17 Hunter Street, Sydney with respect to matters of fire safety.

The site is located fronting Hunter Street between George Street and Pitt Street Sydney. It consists of a four storey building. The ground floor building consists of two shops with boarding houses accommodation occupy the floors above.

An inspection of the premises undertaken by a Council investigation officer in the presence of the Assistance Manager revealed that the premises are deficient in fire safety and egress provisions in the following areas:

- 1) The aluminium composite panelling attached to the internal non-fire isolated exit stairway providing egress for City Lodge hotel; and
- 2) The maintenance issue of exit signages;

Council investigations have revealed that whilst the overall fire safety systems provided within the subject premises were being maintained and the annual fire safety certification is current and compliant and is on display, the above fire safety deficiencies are required to be addressed.

The premises are deficient in the provisions for fire safety especially the use of combustible aluminium composite panelling and a fire safety order is being prepared to be issued under Schedule 5 of the Environmental Planning and Assessment Act, 1979 so as to ensure and promote adequate facilities for fire safety/fire safety awareness.

Other fire safety issues identified by FRNSW (such as location of sprinkler system booster assembly and exit travel distances) are noted. No further action will be taken with these issues as they were previously satisfactory dealt with under appropriate applications.

Chronology:

Date	Event
31/1/2019	FRNSW correspondence of 24 January 2019 received regarding premises 15-17 Hunter Street, Sydney
18/2/2019	An inspection of the subject premises was undertaken by a Council officer in attendance of the boarding-house Assistance Manager. The inspection confirmed the issues raised by FRNSW. The issues associate with fire doors of laundry and store rooms being choked open have been rectified. The Fire Indicator Panel was clear of all faults and isolation.

FIRE AND RESCUE NSW REPORT:

References: [BFS18/3700 (5808); D19/3070; Trim 2019/079142]

Fire and Rescue NSW conducted an inspection of the subject premises in relation to a fire incident (11 December 2018) and after receiving a correspondence in relation to the adequacy of the provision for fire safety in connection with the premises.

Issues

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

1. The maintenance issues associate with the Fire Indicator Panel (FIP) for the Smoke Detection and Alarm System;
2. Possible obstruction issue with the current location of the sprinkler system booster assembly;
3. The maintenance issue of exit signages;
4. The exit travel distances of levels 1 & 2 of City Lodge Hotel;
5. The issues associate with fire doors of laundry and store rooms being choked open; and
6. The aluminium composite panelling attached to the internal non-fire isolated exit stairway providing egress for City Lodge hotel.

FRNSW Recommendations

FRNSW have recommended that Council to inspect and take action to have the identified fire safety issues appropriately addressed and to inspect and address any other fire deficiencies identified on the premises.

FRNSW have also requested that as soon as practical after the above report has been tabled and considered, that notice of any determination in relation to the report and 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 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 determination.

Referenced documents:

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2019/079142-01
A2.	Locality Plan	2019/079142-02
A3	Attachment cover sheet	2019/079142-03

Trim Reference: 2019/079142**CSM reference No#: 2027742**



File Ref. No: BFS18/3700 (5808)
TRIM Ref. No: D19/3070
Contact: [REDACTED]

24 January 2019

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
CITY LODGE HOTEL
15-17 HUNTER STREET, SYDNEY ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence on 12 December 2018, in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated, in part, that:

As a result of a concealed space fire which took place at 12:24pm on 11 December 2018 (sprinkler operated to control the fire prior to FRNSW arrival and full extinguishment) [REDACTED] spoke with me about an egress issue of the premises. The City Lodge Hotel is a two level building (RIS = 3), is sprinkler protected and has smoke detection.

I visited the premises on 12 December and spoke with the part time Manager and a member of staff regarding a few fire safety issues that FRNSW Officers had discussed that morning. The hotel can accommodate a maximum of 50 people within 20 rooms. 19 are 2 people rooms however an additional bed can be provided if available. The other room accommodates 4, with a similar option for an additional bed. There is only one exit/egress path.

Currently, the FIP is located at the street side of the stairwell entry/exit doorway. The sprinkler booster is within the same very small entry enclosure situated off

Hunter Street. The hotel glass door opens out towards Hunter Street directly onto the FIP door and Sprinkler enclosure door if they are open. Additionally, should the sprinkler system require boosting, the exit/egress path would be even further compromised.

At the time of my visit to speak with the Manager, the FIP had two zones in isolate. There was only eight zones within the conventional system. This was explained to the manager as being of a high concern which required rectification. She showed me a business card of a fire contractor who was scheduled to attend the site to look into the system issues.

I believe a visit to this premises would be worthwhile to ensure fire safety is maintained with only a single exit serving the property. Thank you.

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 14 December 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of 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.

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

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 Amendment 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 premises consists of two (2) shops on the ground floor ('Salad Works' and 'Little Vietnam Restaurant') with accommodation ('City Lodge Hotel') occupying the floors above. The following items were identified as concerns during the inspection:

1. Essential Fire Safety Measures

1A. Smoke Detection and Alarm System

- A. An isolation and fault were displayed on the Fire Indicator Panel (FIP), which were associated with level 2 of the City Lodge Hotel.

A re-inspection of the premises on 18 December 2018, revealed that the FIP was clear of all faults and isolations.

- B. The covering door to the FIP sits flush with the wall and does not have a handle to open the door, which made it difficult to open and access the FIP.

1B. Sprinkler System

- A. The booster assembly is located within the area of the entry foyer to the City Lodge Hotel. At a time when firefighting hoses are connected to the booster assembly, occupant egress from the City Lodge Hotel would be compromised as the hoses could cause an obstruction.

1C. Exit Sign

- A. Some exit signage was not illuminated and not maintained contrary to the requirements of Clause E4.8 of the NCC, Section 6 of Australian Standard (AS) 2293.1-2005 and Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

2. Access and Egress

- 2A. The travel distances from the entry doors of sole occupancy units room no. 203 on level 1 and room no. 403 on level 2 appears to exceed 6m to an exit or a point of choice to two exits, contrary to the requirements of Clause D1.4 of the NCC.

3. Compartmentation

- 3A. Door chocks were holding open the fire door of the laundry and the fire door of the store room on level 1, prohibiting the doors from self-closing, contrary to the requirements of Clause 3.4 and Specification C3.4 – Clause 3 of the NCC.

4. Generally

- 4A. A visual inspection of the internal non-fire isolated stairway, providing egress from the accommodation area to Hunter Street, revealed that the wall lining appears to consist of aluminium composite panelling. It could not be determined if the wall lining complies with Clause C1.10 of the NCC.

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 through to item no. 4 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 Schedule 5, Part 8, Section 17 (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 BFS18/3700 (5808) for any future correspondence in relation to this matter.

Yours faithfully



[REDACTED]
Senior Building Surveyor
Fire Safety Compliance Unit