

# **Attachment I**

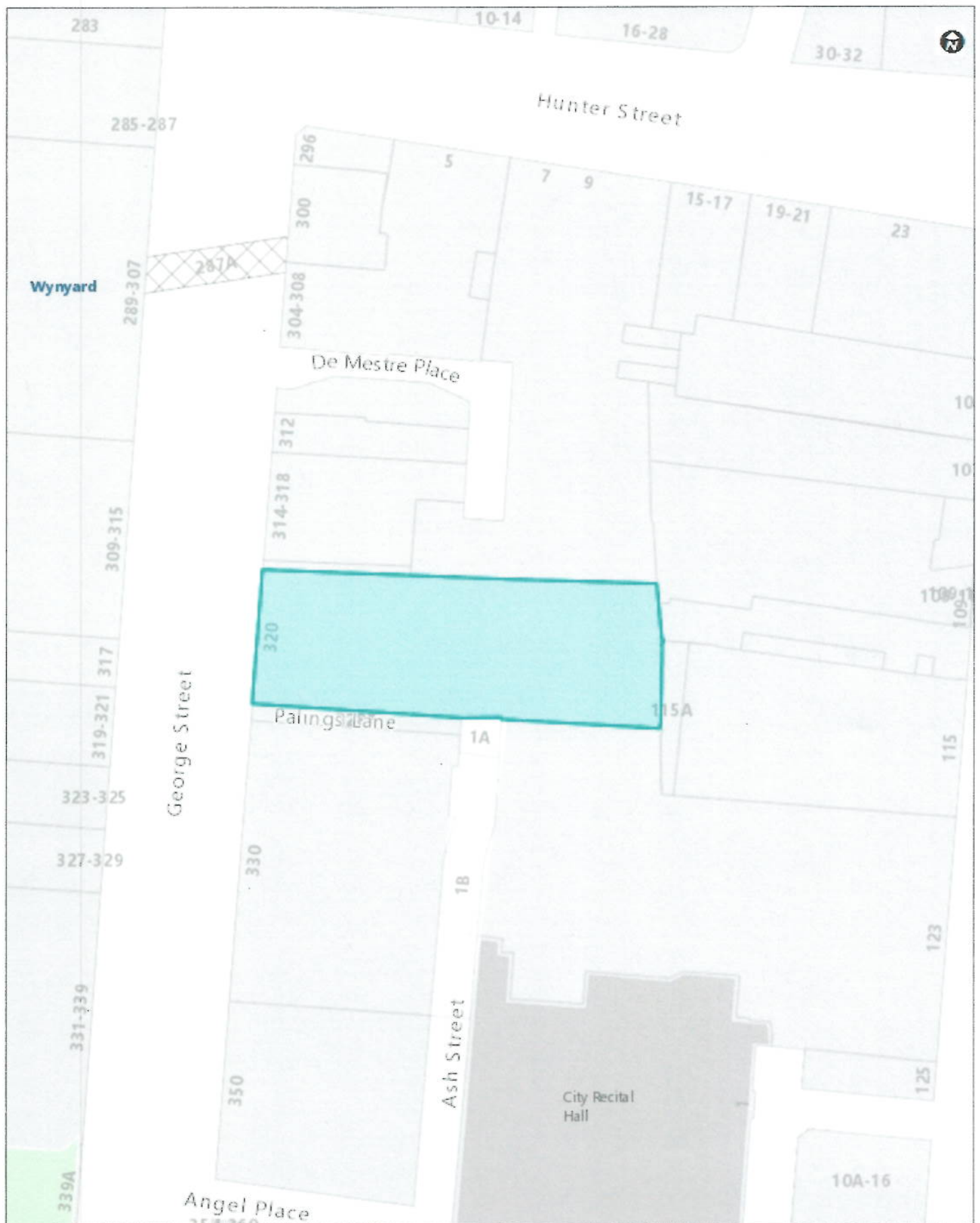
**Inspection Report – 320 George Street,  
Sydney**



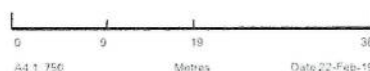
*city of villages*



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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 2035002

**Officer:** Michael Merlino

**Date:** 22 February 2019

**Premises:** 320-330 George Street, Sydney "IVY"

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**Executive Summary:**

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on 11 February 2018 with respect to matters of fire safety.

The premises known as the "Ivy" and consists 2 multi storey buildings being 320 George Street Sydney (11 storeys) and 330 George Street Sydney (6 storeys). The buildings are used as used as a bar, function rooms, nightclub, hotel penthouses, offices, retail, restaurants and cafes.

A general inspection of the premises undertaken by a Council investigation officer in the presence of the fire services contractors and the facilities manager for the venue revealed that there were no significant fire safety issues occurring within the building.

The premises 320 George Street Sydney was issued with a Council fire safety order on 14 August 2013 which was subsequently finalised by Council on 10 September 2013.

The premises are equipped with numerous fire safety systems (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 in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

Council investigations have revealed that whilst there remains several minor fire safety "maintenance and management" works to attend to including an fire hose reel signage, obstruction to sprinkler coverage, internal hydrant clearance issues, and repairs/maintenance to existing identified FIP faults, the overall fire safety systems provided within the subject premises are considered adequate in the circumstances.

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.

Observation of the external features of the building did not identify the existence of metallic sheet cladding on the façade of the building.

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**Chronology:**

Date	Event
11/2/2019	FRNSW correspondence received regarding premises 320-330 George Street, Sydney
20/2/2019	An initial desktop review of the subject building revealed that the building 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 by 20 April 2019. The premises 320 George Street Sydney was issued with a Council fire safety order on 14 August 2013 which was subsequently finalised by Council on 10 September 2013.

21/2/2019	<p>An inspection of the subject premises was undertaken by a Council officer which revealed the following:</p> <ol style="list-style-type: none"> <li>1. A full copy of the buildings AFSS must be displayed at both buildings;</li> <li>2. Missing fire hose reel signage to level 3 hose reel cupboard;</li> <li>3. Inadequate sprinkler coverage over level 1 bar areas due to installed intermediate roofing over bars;</li> <li>4. Inadequate clearances to hydrant landing valves in a fire stair;</li> <li>5. 2 faults displayed on the Fire Indicator Panel located in level 4 Restaurant and Level 5 Penthouse at 320 George Street that are currently being addressed by the owners by their fire contractor.</li> </ol>
22/2/2019	<p>Corrective action correspondence issued to the owner of the premises requiring the abovementioned matters to be satisfactorily addressed.</p>

### FIRE AND RESCUE NSW REPORT:

References: [BFS18/3688(5800), D19/8052, 2019/092174-01]]

Fire and Rescue NSW conducted an inspection of the subject premises in conjunction with the NSW police force on 9 December 2019.

#### Issues

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

1. Faults and isolations displayed on the buildings Fire Indicator Panel (FIP);
2. Isolations were found to be in accordance with the approved fire engineering procedure for isolations during certain functions/events;
3. Fault to the sound system and intercom system for emergency purposes;
4. Annual fire safety statement was not prominently displayed in the building;
5. They also noted the combined fire hydrant and sprinkler booster assembly at the time was obstructed by construction barricades/hoardings for the light rail system on George Street, and note a general lack of access along George Street.

#### FRNSW Recommendations

FRNSW have made a number of recommendations within their report. In general FRNSW have requested that Council:

1. Inspect the subject premises and take action to have the identified fire safety issues appropriately addressed;
2. Advise them in writing of its determination in relation to this matter in accordance with the provisions of clause 17(4) of Schedule 5 of the Environmental Planning and Assessment Act 1979

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**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

Issue Order (NOI)	Issue emergency Order	Issue a compliance letter of instruction	Cited Matters rectified	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 the above site inspection undertaken by Council investigation officers it is recommended that the owners of the building continue to comply with the written fire safety compliance instructions as issued to rectify the identified fire safety deficiencies noted by FRNSW.

Follow-up compliance inspections are currently being undertaken, and will continue to be undertaken by a Council investigation officer to ensure already identified fire safety matters are suitably addressed and that compliance with the terms of Councils correspondence and the recommendations of FRNSW occur.

Discussions were also undertaken with senior management of the importance to strictly follow the approved fire engineering procedure for isolations during certain functions/events.

The matter relating to George Street light rail barriers is beyond the control of the building owners and is referred back to FRNSW for them to correspond directly with the relevant State Government Authority involved in the light rail construction project.

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 outcomes

**Referenced documents:**

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2019/092174-01
A2.	Locality Plan	2019/092174-03 and 2019/092174-04
A3	Attachment cover sheet	2019/092174-02

**Trim Reference:** 2019/092174

**CSM reference No#:** CSM 2035002

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File Ref. No: BFS18/3688 (5800)  
TRIM Ref. No: D19/8052  
Contact: [REDACTED]

11 February 2019

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**  
**'IVY'**  
**320-330 GEORGE STREET, SYDNEY ("the premises")**

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 9 December 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW). The inspection was also conducted in the company of Officers from the NSW Police Force.

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

The following items were identified as concerns at the time of inspection:

### 1. Essential Fire Safety Measures

#### 1A. The Automatic Fire Detection and Alarm System:

- a) Fire Indicator Panel (FIP): The automatic smoke detection and alarm system did not appear to be capable of operating to the standard of performance from when it was first designed and installed, contrary to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). The following issues were identified as concerns at the time of inspection.
  - i. The FIP was displaying three (x3) faults.
  - ii. The FIP was displaying twenty-eight (x28) isolations
- b) Isolations – It is noted that 'the premises' has implemented an approved a 'Smoke Detection Isolation Procedure', Reference 20131129-SY130401, Revision 1.4, prepared by [REDACTED] dated 29th November 2013, to permit the isolation of the Automatic Smoke Detection System for events.

The isolations displayed on the FIP at the time of the inspection appeared consistent with the limitations/extents within the approved procedures.

It is however noted, that the Operations Manager ([REDACTED]) did not appear to be aware of the isolation procedures at the time of the inspection and it is unclear whether the requirements within Section 8 of the approved procedures had been implemented, including but not limited to:

- i. External notifications to FRNSW, City of Sydney (Licensing and/or building regulation) and Merivale's insurers;
- ii. Maintaining a log book which indicates the time and date of notification of authorities; and
- iii. Maintaining a log book which records the time, date, location and duration of the smoke detector isolation;

as log books were not available for viewing at the time of the inspection.



- c) Faults - A re-inspection of the premises on 14 December 2018 found that that one (x1) fault remained on the system. Discussion with the Senior Manager of 'The Ivy' at the time of the inspection revealed he was aware of the fault and he advised FRNSW that a work order had been placed to investigate and repair the fault.

- 1B. Sound System and Intercom System for Emergency Purposes - The evacuation system panel displayed an amplifier/speaker fault associated with 'Stage 2 Level 4'.

A re-inspection on 14 December 2018 found the fault remained on the system. Discussion with the Senior Manager of 'The Ivy' at the time of the inspection revealed he was aware of the fault and he advised FRNSW that a work order had been placed to repair the fault.

- 1C. Annual Fire Safety Statement (AFSS) – A copy of the current AFSS was not prominently displayed within the building in accordance with Clause 177 of the EP&A Regulation.

## 2. Generally

- 2A. Combined Fire Hydrant and Sprinkler Booster – It is noted that due to the current works in George Street for the light rail system, Fire Brigade access to the booster assembly (which incorporates large bore suction connection for the water storage tank) is obstructed, by the erection of construction barriers/hoarding and general lack of access along George Street. In this regard, FRNSW would have difficulties/delays in undertaking fire fighting activities, should a fire incident occur at 'the premises'.

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. 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 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 BFS18/3688 (5800) for any future correspondence in relation to this matter.

Yours faithfully

A handwritten signature in black ink, appearing to read 'M. [REDACTED]', is written over a black rectangular redaction box.

[REDACTED]  
Senior Building Surveyor  
Fire Safety Compliance Unit