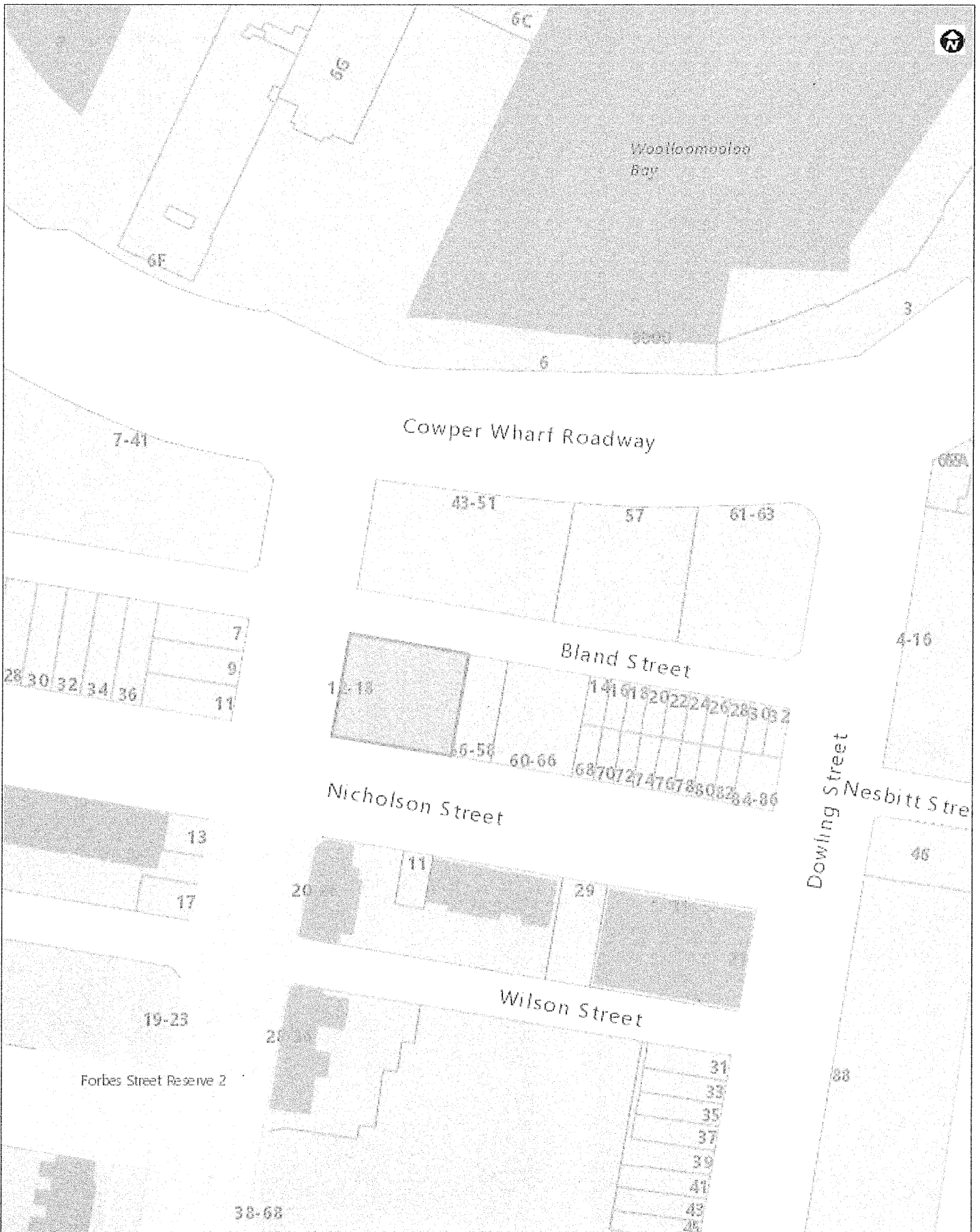


Attachment K

**Inspection Report -
12-18 Forbes Street, Woolloomooloo**



**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 2040035

Officer: Joe Kalgovas

Date: 27/02/2019

Premises: 12-18 Forbes Street, WOOLLOOMOOLOO

Executive Summary:

Council received correspondence dated 15 February 2019 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 two storey building configured as follows; the ground floor level contains a restaurant and bar, the first floor level of the building contains a bar area and office associated with the operation and open deck area.

An inspection of the premises undertaken by a Council investigation officer in the presence of the restaurant manager revealed that there were no significant fire safety issues occurring within the building.

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 and is on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

Observation of the external features of the building did not identify the existence of metal composite cladding.

Chronology:

Date	Event
19/02/2019	FRNSW correspondence received regarding premises 12-18 Forbes Street, Woolloomooloo.
27/02/2019	An inspection of the subject premises was undertaken by a Council officer which found that those matters identified by FRNSW had been rectified.

FIRE AND RESCUE NSW REPORT:

References: D19/9954, 2019/083057

Fire and Rescue NSW conducted a proactive inspection of the subject premises.

Issues:

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

1. Emergency lighting located above the outdoor BBQ area on the first floor was not operating and had not been maintained,
2. The fire blanket in the ground floor kitchen was not located in a conspicuous and readily accessible position,

3. The panic/push bar device to the exit door on the first floor, which discharges out to the rear terrace was faulty.

FRNSW Recommendations

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

FRNSW have advised that the report has been provided for Council's information in accordance with section 9.32 (4) and clause 17(1) of the Act.

FRNSW reports issued under respective legislation are required to be the subject of a notice of determination 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)

An inspection undertaken by a Council investigation officer in company with the manager of the premises revealed that the above FRNSW issues have been complied with.

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:

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2019/083057
A2.	Locality Plan	2019/103260-01
A3	Attachment cover sheet	2019/103260-02

Trim Reference: 2019/103260

CSM reference No#: CSM 2040035



File Ref. No: BFS19/463 (6365)
TRIM Ref. No: D19/9954
Contact: [REDACTED]

15 February 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
"TILBURY HOTEL"
12-14 FORBES STREET, WOOLLOOMOOLOO ("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 19 January 2019 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.

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. Essential Fire Safety Measures

- 1A. Emergency Lighting – The emergency light located above the outdoor BBQ area on the first floor was not operating and had not been maintained, contrary to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).
- 1B. Fire Blankets – The fire blanket in the ground floor kitchen was not located in a conspicuous and readily accessible position, contrary to the requirements of Clause 6.3 of AS2444-2001. Furthermore, the fire blanket contained a service tag/label indicating it had not received any routine servicing since September 2017, contrary to the requirements of Clause 11.3 of AS 1851-2012 and Clause 182 of the EP&A Regulation.

2. Generally

- 2A. Door hardware – The panic/push bar device to the exit door on the first floor, which discharges out to the rear terrace, was faulty. In this regard, the door operated effectively when tested, however the bar was not affixed correctly and could be removed from the side bracket.

The Manager assured FRNSW at the time of the inspection that the items identified above would be addressed as a matter of priority.

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 BFS19/463 (6365) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

[REDACTED]
Senior Building Surveyor
Fire Safety Compliance Unit