

# **Attachment F**

**Council Officer Inspection Report –  
827-837 George Street, Haymarket**



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

**CSM: 2170046**

**Officer: Tereza Wickerson**

**Date: 28 October 2019**

**Premises: 827-837 George Street, HAYMARKET NSW 2000**

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**Executive Summary:**

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to premises referred to as 827-839 George Street, HAYMARKET NSW 2000 (the premises) regarding matters of fire safety.

The eight storey brick and sandstone clad building with a tower, is located on George Street adjoining Railway Square Central, bounding Bijou Lane in Haymarket. The building is predominately used as a tertiary technical college (known as TAFE NSW) and contains ground level retail and lower ground arcade which connects to Central Station's pedestrian tunnel.

The premises being a Heritage Item under Central Sydney's Local Environmental Plan of 2012; was established in Circ. 1906 as a retail store, the building name referenced as the Marcus Clarke building. The premises has been subject of internal refurbishments since 1982. Currently the premises is not affected by any development works.

An inspection of the building was recently undertaken by a Council investigation officer, comments made by FRNSW had been investigated. At the time of inspection, all fire safety systems were operational, with no obstructions to fire exits. The fire hydrant booster assembly was assessed as being consistent with its installation standard/period. It was also noted, no new (additional) significant fire safety issues were identified.

Council has written a letter to the owners of the building, requesting certain maintenance works be conducted and verified. In addition the owners have been advised of matters raised by FRNSW pertaining to the hydrant booster assembly.

Council does not intend to issue the owner(s) with a Penalty Infringement Notice with respect to fire safety equipment at this time.

It is considered that the items identified by FRNSW have been addressed by the issue of a compliance letter.

Observation of the external features of the building did not identify composite combustible sheet cladding.

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**Chronology**

Date	Event
09/10/2019	FRNSW correspondence received regarding premises 827-839 George Street, HAYMARKET
10/10/2019	An initial desktop review revealed Heritage Item building, historical building applications indicate the building was refurbished in 1982; with no current building works or enforcement action being conducted. The building has a compliant fire safety statement which includes the fire alarm warning and evacuation system.
15/10/2019	An inspection of the subject building was undertaken by a Council officer; revealed, minor maintenance issues, requiring adjustment to existing equipment only.

25/10/2019	Council issued a compliance letter instructing the owner to rectify maintenance issues and to verify compliance of the fire alarm warning and evacuation system. In addition an advisory comment pertaining to matters raised by FR NSW with regards to the hydrant booster system was also issued. Council has scheduled progress inspections in relation to required works
30/10/2019	Report prepared, to table FRNSW report to Council meeting scheduled for December 2019

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

References: [BFS19/2871, D19/70471]

Fire and Rescue NSW (FRNSW) conducted an inspection of the subject premises with NSW Police Force & Council Officers on 8 October 2019 in accordance with Section 119 T(1) of the Environmental Planning and Assessment Act 1979 (the Act).

#### Issues

The report from FRNSW detailed a comment, in particular noting;

- Fire Hydrant booster assembly, test pressure signage, height of hydrant feed outlets/inlets, and fire hydrant door signage being in contrary to requirements of AS2419.1-2005
- Access and Egress – a final exit door containing a slide snib lock

#### FRNSW Recommendations

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

FRNSW have also requested that as soon as practical after the above recommendations have been tabled and considered that notice of any determination in respect of the 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 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.

The above correspondence has instructed the responsible site personnel to carry out corrective actions to promote compliance.

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 outcomes.

**Referenced documents:**

No#	Document type	Trim reference
A1	FRNSW Letter dated 8 October 2019	2019/541271-01
A2	Locality Plan	2019/541271-02
A3	Attached Cover Sheet	2019/541271-03

**Trim Reference:** 2019/541271

**CSM reference No#:** 2170046





File Ref. No: BFS19/2871  
TRIM Ref. No: D19/70471  
Contact: [REDACTED]

8 October 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  
CHEMIST WAREHOUSE  
827-839 GEORGE STREET HAYMARKET ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence on 29 August 2019, in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated, in part, that:

*The ground floor of this building contains several tenancies - TAFE, Chemist Warehouse & Gloria Jeans Coffee.*

*At the rear of the shops are service corridors also used by TAFE to access areas and are designated fire exits. Chemist Warehouse regularly take delivery of goods and stack them in the corridor for several hours whilst they unload and place in their storeroom. They have in the past placed a table and chairs for staff in this corridor,*

*Someone has now placed a table and chairs next to/ under the fire hydrants.*

*Earlier this year, the fire alarm was activated in this building. The initial response from Fire & Rescue was to the main campus as the alarm activation did not provide specific building address. Whilst the warning and evacuation tones were audible in the building, they were not audible in the Sydney TAFE arcade.*

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 24 September 2019 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

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 2019 Building Code of Australia – Volume One (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed may relate to the building's age or contradict development consent approval. In this regard, it is at council's discretion as the appropriate regulatory authority to consider the most appropriate action and determine whether an investigation is required.

The following items were identified during the inspection:

### 1. Essential Fire Safety Measures

#### 1A. Fire Hydrant Booster

- i. Boost pressure and test pressure signage has not been provided in a prominent position adjacent to the fire brigade booster assembly, contrary to the requirements of Clause 7.10.1 of AS2419.1-2005.
- ii. The doors to the booster enclosure are not clearly identified with fade resistant "FIRE HYDRANT BOOSTER" signs, contrary to the requirements of Clause 7.10.2 of AS2419.1-2005.
- iii. The height of the feed hydrant outlets and the boost inlet connections appear to be less than 750mm above the standing surface in front of the booster assembly, contrary to the requirements of Clause 7.4 of AS2419.1-2005.

- iv. The feed hydrant outlets and the boost inlet connections appear to be recessed greater than 150mm from the front face of the cabinet, contrary to the requirements of Clause 7.4 of AS2419.1-2005.

## 2. Access & Egress

- 2A. Items were observed stored in the path of travel leading to the fire exit at the rear of 'the premises', causing an impediment to the free passage of persons, contrary to the requirements of Clause 184, 185 and 186 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). The items included boxes, a bin and other miscellaneous items.

At the time of the inspection, management were informed of the issue and agreed to rectify. Photographic evidence, provided to FRNSW on the same day, confirmed that the items had been removed from the path of travel.

- 2B. Additional latching – Slide bolts and a snib lock were installed to the final exit door discharging to George Street, contrary to the requirements of Clause D2.21 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:

Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 and 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 BFS19/2871 for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Fire Safety Compliance Unit