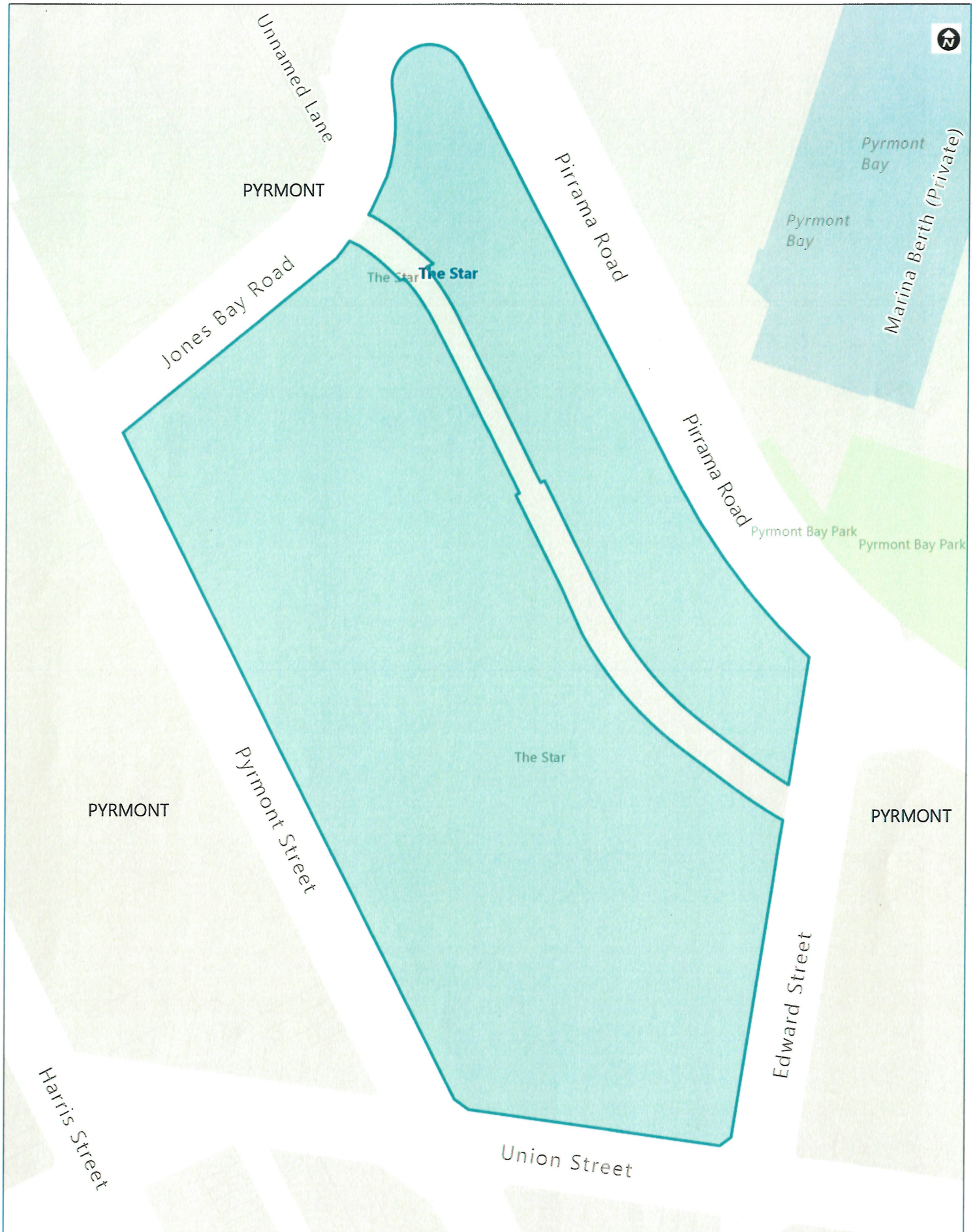


Attachment E

**Council Officer Inspection Report
55 Pirrama Road Pyrmont NSW 2009**



**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 2242352

Officer: Eyman Balta

Date: 2 March 2020

Premises: 55 Pirrama Road Pyrmont (The Star Light Rail Station)

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 is known as The Star Sydney and contains the Star Casino, hotel rooms, privately owned serviced apartments, the Lyric Theatre and bars and restaurants.

The ground floor level of the building contains the Star Light Rail Station. This is the area relating to the correspondence received from FRNSW and specifically concerns the operation of two sets of double exit doors which open onto Pirrama Road.

An inspection of the premises undertaken by a Council Investigation Officer in the presence of Facilities Operations Manager for The Star Sydney determined that there were no fire safety issues related to these two sets of double exit doors.

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 combustible composite cladding on the façade of the building.

Chronology:

Date	Event
10/02/2020	FRNSW correspondence received regarding the Star Light Rail Station located on the ground floor level of the Star Sydney.
19/02/2020	An inspection of the premises undertaken by a Council Investigation Officer in the presence of Facilities Operations Manager for The Star Sydney confirmed that the issues raised by FRNSW had been addressed and that there were no fire safety issues related to the exit doors.

FIRE AND RESCUE NSW REPORT:

References: BFS19/2875 (8689) and D20/9542.

Fire and Rescue NSW conducted an inspection of the subject premises on the 7 November 2019 after receiving an enquiry about the operation of exit doors from the Star light Rail Station located on the ground floor level of the building.

Issues

The report from FRNSW detailed two issues in relation to the Star light Rail Station, in particular noting concerns with:

1. Exit doors from the southernmost part of the ground floor level failed to fully open without considerable force. Exit doors from the northernmost part of the ground floor level had a broken self-closing device
2. FRNSW advised that a follow up inspection was undertaken and confirmed in their correspondence that the issues raised had been rectified and the exit doors operated as required.

FRNSW Recommendations

FRNSW have made 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. In its capacity as the regulatory authority take action to have the abovementioned items appropriately addressed.
3. 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.

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)

The inspection undertaken in the presence of Facilities Operations Manager for The Star Sydney confirmed that the above recommendations of FRNSW had been complied with, and that there were no fire safety issues relating to the operation of the northernmost and southernmost exit doors from the ground level of the Star light Rail Station.

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
E1.	Fire and Rescue NSW report	2020/098137-01
E2.	Locality Plan	2020/098137-02
E3	Attachment cover sheet	2020/098137-03

Trim Reference: 2020/098137

CSM reference No#: 2242352



File Ref. No: BFS19/2875 (8689)
TRIM Ref. No: D20/9542
Contact: [REDACTED]

10 February 2020

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
THE STAR LIGHT RAIL STATION
55 PIRRAMA ROAD PYRMONT ("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:

The fire safety doors ("Push to exit") at the northern end of the platform onto Pirrama Rd (exiting adjacent to The Century restaurant) often do not all work -- they prevent egress instead.

For example, this morning 2 out of the 4 doors could not be opened by "pushing" on the "push to exit" horizontal bars on the doors. The other 2 did work (in fact they were ajar).

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 7 November 2019 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 part of the building referred to in the fire safety concern only, 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

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 as concerns during the inspection:

1. Essential Fire Safety Measures

- 1A. Exit Doors – The southernmost doorset, proving egress to Pirrama Road, failed to fully open without applying significant force. The northernmost doorset had a broken self-closing device. The duty manager for the premises was informed of the issue and agreed to have the issues rectified.

A follow-up inspection was carried out to confirm that the abovementioned issues had been rectified, and that the exit doors operated as required.

- 1B. Maintenance - At the follow-up inspection it was noted that the door closing sequencer to one of the sets of double fire safety doors (the northernmost doorset) was not maintained and the doors failed to return to the fully closed position after opening, contrary to the requirements of Clause C3.4 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. 1B 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 BFS19/2875 (8689) for any future correspondence in relation to this matter.

Yours faithfully



Fire Safety Compliance Unit