

# **Attachment E**

## **Council Officer Inspection Report - 730-742 George Street, Haymarket**



**Council investigation officer Inspection and Recommendation Report**  
**Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment Act**  
**1979 (the Act)**

**File:** CSM 2278651

**Officer:** Tereza Wickerson

**Date:** 13 May 2020

**Premises:** 730-742 George Street, Haymarket

---

**Executive Summary:**

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to premises referred to as 730 George Street, Haymarket NSW 2000, known as 730-742 George St Haymarket, regarding matters of fire safety.

The premises comprising of a sandstone clad building and a glazed/aluminium composite clad building, connected by an internal opening, is located corner of George Street, Campbell Street and Hay Street within Haymarket. The premises referred to as Capitol Square, contains ground level retail and restaurant tenancies, with upper level office(s) and hotel accommodation.

The premises is nominated as a Heritage Item under Central Sydney's Local Environmental Plan of 2012; building established in Circ.1875 previously known as Palace Hotel. Currently the premises is not affected by any development works.

An inspection of the building was recently undertaken by a Council investigation officer and comments made by FRNSW were investigated. At the time of inspection, several office and restaurant tenancies were vacant. Existing fire safety systems were online and operational. The fire hydrant booster assembly was found to be consistent with its installation standard/period. It was also noted, that existing fire systems required minor maintenance to signage/plans. No additional significant fire safety issues were identified.

Council investigations have revealed that whilst there remains several minor fire safety maintenance and management works to attend to in respect to reinstating fire safety signage and maintenance to exits, the overall fire safety systems provided within the subject premises are 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(s) through written instruction from Council.

Observation of the external features of the building did identify the existence of combustible composite cladding on part of the façade of the non-heritage building. The matter has been referred to the City's cladding compliance team for further detailed investigation and appropriate action.

---

**Chronology:**

Date	Event
31/03/2020	FRNSW correspondence received regarding premises 730 George Street, Haymarket
01/04/2020	An initial desktop review revealed premises is a Heritage Item building under Sydney's Local Environmental Plan 2012, a historical fire safety order in 2016 completed on 2 April 2019; with no current building works or enforcement action being conducted. The building has a compliant fire safety statement which includes the fire Sprinkler and fire alarm warning and evacuation systems. A Fire Engineered Solution is applicable to this premises pertaining to egress provisions.
03/04/2020	An inspection revealed a part vacant building. The annual fire safety statement and block plans were present, the Fire Indicator Panel was operational, no faults or isolations. Minor maintenance issues hydrant booster cabinet/ signage located on Campbell Street frontage..

01/05/2020	Council issued a compliance letter instructing the owner to rectify maintenance issues including updating signage and verifying other fire systems. Council has scheduled progress inspection in relation to required works
------------	---

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

References: [BFS18/2905, D20/23630]

Fire and Rescue NSW (FRNSW) conducted an inspection of the subject premises on 03 March 2020 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;

1. Fire Hydrant System – Fire booster connection/ pressure and block plan signage not in accordance with relevant Australian Standard (AS) 2419.1.
2. Smoke detection and alarm system – Fire indicator Panel noted isolations at time of inspection.
3. Access and Egress– Restaurant tenancy & storeroom travel distance advice and an obstruction to exit noted, level one, additional directional exit sign(s) required.
4. Certification - A current Annual Fire Safety Statement was not displayed in a prominent location contrary to the requirements of Clause 177 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg).

#### FRNSW Recommendations

FRNSW recommended that Council inspect the subject premises and take action to have the listed fire safety issues appropriately addressed.

FRNSW also requested that as soon as practical after the above report has 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 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 by Council officers to rectify the identified fire safety deficiencies noted by FRNSW.

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 Councils 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:**

<b>No#</b>	<b>Document type</b>	<b>Trim reference</b>
A1.	Fire and Rescue NSW report	2020/210588-01

**Trim Reference:** 2020/210588

**CSM reference No#:** 2278651



File Ref. No: BFS18/2905 (5068)

TRIM Ref. No: D20/23630

Contact: [REDACTED]

31 March 2020

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  
CAPITAL SQUARE  
730 GEORGE STREET HAYMARKET ("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 in part that:

- *I attended the building and there were 72 isolations on the board.*
- *The annual fire safety statement displayed is also dated the 13th June 2016*

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 3 March 2020 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

Fire and Rescue NSW

ABN 12 593 473 110

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Community Safety Directorate  
Fire Safety Compliance Unit

1 Amarina Ave  
Greenacre NSW 2190

T (02) 9742 7434  
F (02)

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 during the inspection:

### 1. Essential Fire Safety Measures

#### 1A. Fire Hydrant System

- A. Notice of pressure signage has not been installed in a prominent position adjacent to the fire brigade booster connection contrary to the requirements of Clause 5.6.7 of Australian Standard (AS) 2419.1-1994.
- B. A block plan, A3 minimum size, has not been installed at the fire brigade booster connection contrary to the requirements of Clause 2.3 of AS 2419.1-1994.
- C. Two booster connections are installed in the cabinet identified as FIRE BRIGADE BOOSTER CONNECTION. FRNSW were unable to determine the operational purpose of the connections. FRNSW recommend that each connection be correctly identified for the purpose it serves.

#### 1B. Smoke Detection and Alarm System

- A. There were three (3) isolations displayed on the Fire Indicator Panel (FIP) contrary to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg).
  - i. FRNSW received confirmation from the Building Manager on 11 March 2020 that the smoke detection and alarm system had been repaired and there were no isolations on the FIP.

### 2. Generally

#### 2A. Access and Egress

- A. The glass doors forming part of the fire exit from MillioRe Korean Fusion Restaurant are obstructed by stacked dining chairs contrary to the requirements of Clause 185 of the EP&A Reg.
- B. Numerous directional exit signage throughout level one (1) of the premises do not indicate the direction of travel to the required exits contrary to the requirements of Clause E4.6 of the National

Construction Code 2019 Volume One, Building Code of Australia (NCC). In this regard, many signs have been rotated on their down-rods to face the wrong direction.

- C. FRNSW is of the opinion that travel distance from the basement level storage and toilet area of MillioRe Korean Fusion Restaurant exceeds 30 metres contrary to the requirements of Clause D1.4 of the NCC.

2B. Certification

- A. A copy of current annual fire safety statement (AFSS) was not prominently displayed in the building contrary to the requirements of Clause 177 of the EP&A Reg. The displayed AFSS was dated 2016.

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 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 BFS18/2905 (5068) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

Fire Safety Compliance Unit