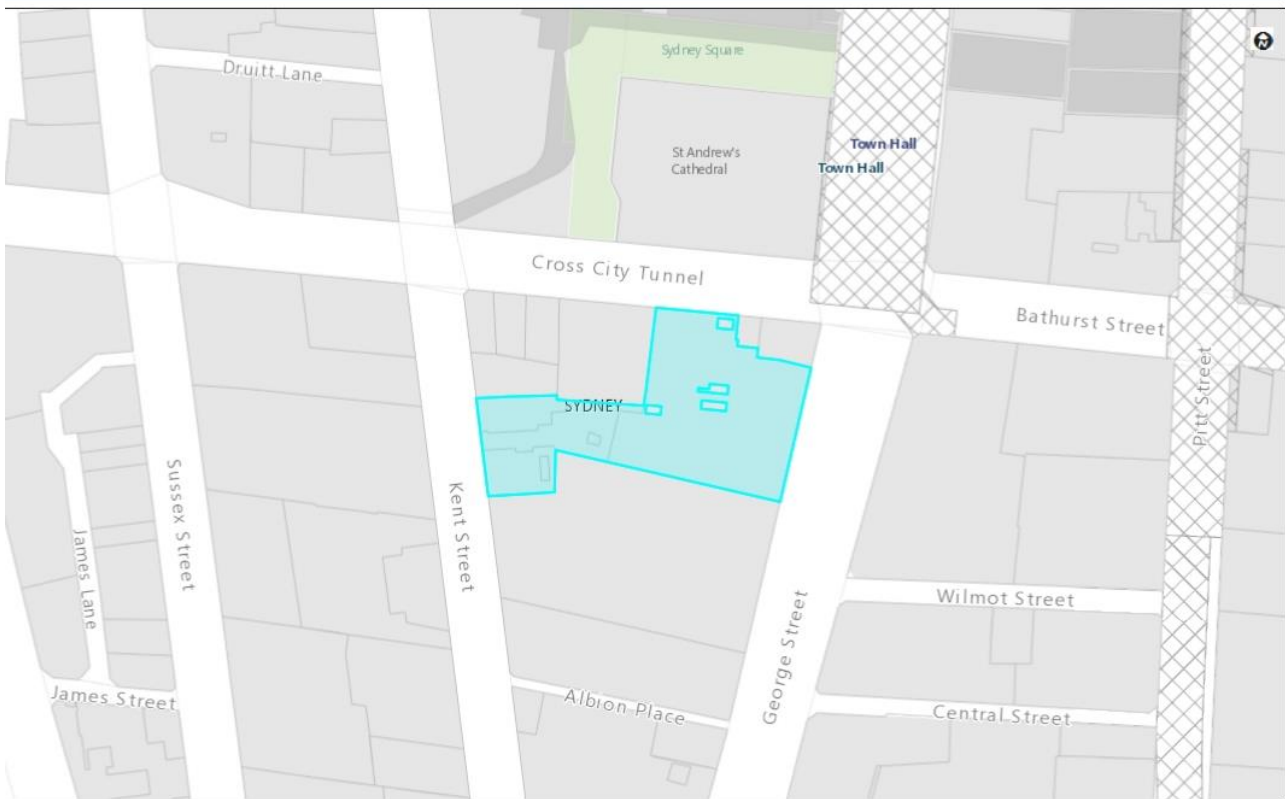


Attachment L

Council Officer Inspection Report - 488 Kent Street Sydney



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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 2290863

Officer: Ashley Host

Date: 12 May 2020

Premises: Tower B, 488 Kent Street, Sydney (Fraser Suites)

Executive Summary:

Fire and Rescue NSW conducted an inspection of the premises on 8 April 2020 in relation to the public health orders issued by the Minister for Health and Medical Research. Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) dated 17 April 2020 in relation to the subject premises with respect to matters of fire safety.

The premises consists of a 56 storey mixed use building including retail, offices and serviced apartments.

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

The premises are equipped with numerous fire safety systems 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 legislation.

Council investigations have revealed that whilst the smoke detection and alarm system in the hotel component of the building is being isolated in unoccupied areas, the overall fire safety systems provided within the subject premises are considered adequate, and an adequate interim fire safety management plan is in place.

Observation of the external features of the building identified the existence of potential combustible composite cladding on the façade of the building.

The City's cladding compliance team is currently conducting an investigation and have issued specific formal action requiring the building owners to provide further detailed information as to the cladding risks posed by the fitted cladding material.

Chronology:

Date	Event
17/04/2020	FRNSW correspondence received regarding premises 488 Kent Street, Sydney
05/05/2020	An inspection of the subject premises was undertaken by Council investigation officer Ashley Host in attendance with Fraser Suites Director of Engineering. The inspection disclosed that parts of the smoke detection and alarm system within the hotel component (Fraser Suites) of the building are being isolated to undertake maintenance and repair work whilst those parts are unoccupied.

FIRE AND RESCUE NSW REPORT:

References: BFS20/1085, D20/27578, 2020/168540

Fire and Rescue NSW conducted an inspection of the premises in relation to the public health orders issued by the Minister for Health and Medical Research.

Issues

The report from FRNSW details that parts of the smoke detection and alarm system fire indicator panel had three isolation faults in Tower B, 488 Kent Street, Sydney. The hotel maintenance manager advised FRNSW these isolations were due to current maintenance work being carried out in the hotel.

FRNSW Recommendations

FRNSW have made no direct recommendation within their report other than legislative notification but have referred the matter to Council as the appropriate regulatory authority and await Council's advice regarding its determination.

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	Letter to building management
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It is recommended that the owners of the building be issued with written instructions to bring to attention the legal responsibilities required to ensure that proper fire safety maintenance and management practices are in place at all times.

Correspondence dated 2 June instructing building management to have regard to ensuring the buildings smoke detection and alarm system is returned to full operation upon completion of any remedial work.

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	2020/203090-01

Trim Reference: 2020/203090

CSM reference No#: 2290863



File Ref. No: BFS20/1085 (11134)
TRIM Ref. No: D20/27578
Contact: [REDACTED]

17 April 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 – PUBLIC HEALTH QUARANTINE ORDER
FRASER SUITES
488 KENT STREET SYDNEY (“the premises”)**

In response to the public health orders issued by the Minister for Health and Medical Research, Fire & Rescue NSW (FRNSW) has conducted an inspection pursuant to the provisions of Section 9.16 and Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of ‘the premises’ on 8 April 2020 was conducted by Authorised Fire Officers of FRNSW.

In this instance, the inspection revealed fire safety concerns that may require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

In this regard, 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

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items outline concerns in general terms, deviations from the fire safety

provisions prescribed in Section 9.32(1)(b) of the EP&A Act. In this regard, it would be at council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

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

1. Essential Fire Safety Measures

1A. Smoke Detection and Alarm System

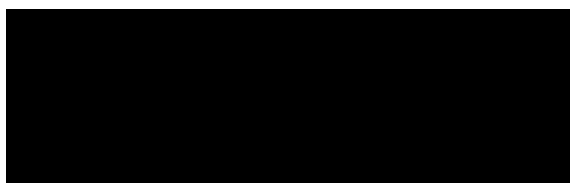
- A. The fire indicator panel displayed three (3) isolations at the premise's contrary to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg).

The Hotel Maintenance Manager advised FRNSW these isolations are due to current maintenance work being carried out in the hotel.

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 BFS20/1085 (11134) for any future correspondence in relation to this matter.

Yours faithfully



Fire Safety Compliance Unit