

Attachment Y

Council Officer Inspection Report - 28 Albion Street, Surry Hills



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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: 2020/189134

Officer: G. Scotton

Date: 8 May 2020

Premises: 28 Albion Street, Surry Hills

Executive Summary:

Fire and Rescue NSW conducted an inspection of the subject premises in response to 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 1 May 2020 in relation to the subject premises with respect to matters of fire safety.

The premises is a high rise building known as Rydges Sydney Central, containing 11 levels, including ground floor reception level, 10 upper accommodation levels, some including various common amenities, and 3 levels of basement parking.

As a result of a Covid-19 risk assessment, the nature of the issue raised by FRNSW, and documentary evidence, an internal inspection of the building has not been carried out at this point in time.

Records indicate that the premises is 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 evidence has been provided that same is prominently on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

Council investigations have revealed that whilst there are minor fire safety maintenance and management works to attend to relating to a block plan and stop valve, the overall fire safety systems provided within the subject premises are considered 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 through written instruction from Council.

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

Chronology:

Date	Event
1/5/2020	FRNSW correspondence received regarding an inspection of the premises
8/5/2020	An review of City records was undertaken by a Council officer, when it was noted that: <ol style="list-style-type: none">1. The current fire safety statement certifies maintenance of an extensive array of twenty five fire safety measures including sprinklers, drenchers, smoke detection, pressurisation systems, smoke control systems, fire control room, fire dampers, fire alarm monitoring, emergency lifts, and emergency warning systems.2. The two issues raised by FRNSW, namely adjustment of a sprinkler block plan to show additional points on the floor, and connection of a sprinkler stop valve to the monitoring system, were raised with the hotel engineer, who advised that the matters raised by FRNSW were resolved by the fire contractor3. The hotel engineer has been requested to provide certification of completion of the two items from the fire contractor, as documentary evidence of compliance with the standards of performance in the fire safety schedule.

FIRE AND RESCUE NSW REPORT:

References: [BFS20/1088, 2020/194051-03]

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

Issues

The report from FRNSW related to two aspects of the sprinkler system:

1. The stop valve was not connected to the monitoring system, as required by an Australian Standard, and
2. The block plan in the sprinkler valve room did not accurately show the entirety of the floor covered by the sprinkler system, as required by an Australian Standard.

FRNSW Recommendations

FRNSW noted subsequent advice to FRNSW of resolution of the issues, and did not make any recommendations within their report.

FRNSW have requested 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 assessment of the issues undertaken by Council investigation officers it is recommended that the owners of the building be issued with written instructions to rectify/certify certain identified fire safety deficiencies noted by FRNSW.

The above written instructions will direct the owners of the premises to carry out/certify remedial actions to existing fire systems to cause compliance with required standards of performance.

Follow-up assessment/inspection will 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 and the recommendations of FRNSW 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 determination.

Referenced documents:

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2020/194051-03

Trim Reference: 2020/194051

CSM reference No#: 2302055



File Ref. No: BFS20/1088 (11140)

TRIM Ref. No: D20/31688

Contact: [REDACTED]

1 May 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
RYDGES CENTRAL SYDNEY
28 ALBION STREET SURRY HILLS (“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. Automatic Fire Sprinkler System
 - A. The main stop valve of installation No. 3 was not monitored in accordance with Clause 3.4.4 of Australian Standard (AS) 2118.1-1999.
 - B. The block plan in the sprinkler valve room had not been updated to reflect the area of coverage contrary to the requirements of Clause 8.3 of AS2118.1-1999.
 - i FRNSW have been advised that the items above relate to a new installation at the premises and that both items have been actioned and completed

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 BFS20/1088 (11140) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

Fire Safety Compliance Unit