

Attachment J

**Inspection Report -
93-105 Quay Street Haymarket**



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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)**

CSM: 2305427

Officer: Greg Scotton

Date: 5 June 2020

Premises: 93-105 Quay Street, Haymarket

Executive Summary:

Fire and Rescue NSW conducted an inspection of the subject premises on 10 April 2020 in response to the public health orders issued by the Minister for Health & Medical Research. Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) on 7 May 2020 in relation to the subject premises with respect to matters of fire safety. The premises consist of an eighteen (18) storey building comprising apartments, ground floor commercial uses, and basement parking.

Chronology:

Date	Event
07/05/2020	FRNSW correspondence received regarding an inspection of the premises, in response to a public health orders issued by the Minister for Health and Medical Research, referred to as <i>Liv Apartments at 93-105 Quay Street, Sydney</i> , being 93-105 Quay Street, Haymarket.
08/05/2020	A desktop review for the premises revealed provision of a current fire safety statement, certifying an extensive array of twenty-two (22) fire safety measures, including smoke detection, sprinklers, emergency lifts, emergency warning, fire control room, hydrants/hose reels, and pressurising/smoke control systems. FRNSW confirmed the hydrant booster assembly compatible lock was the only issue of concern. Contact made with an owner representative outlining the issue and for completion of a Covid-19 risk assessment.
15/05/2020	Holding report prepared to table the FRNSW report for information at Council meeting scheduled for 27 June 2020.
2/6/2020	Evidence provided via an owner representative, from the fire contractor, that the hydrant booster enclosure was fitted with an 003 key lock as required by FRNSW
5/6/2020	Matter discussed with a representative of the owner, when it was determined that the building has recently been used for quarantining purposes. Having regard to the minor nature of the issue raised by FRNSW, and a Covid-19 risk assessment, a limited inspection of the premises was carried out and limited to selected common areas, revealing: 1. The hydrant booster enclosure was fitted with an 003 key lock as required by FRNSW 2. No faults or isolations in the fire indicator panel or emergency warning system 3. Fire safety measures that could be externally/readily assessed during the inspection were adequately maintained

FIRE AND RESCUE NSW REPORT:

References: [BFS20/1149, 2020/211721-01]

Fire and Rescue NSW (FRNSW) conducted an inspection of the subject premises on 10 April 2020 in accordance with S 9.16/9.32(1)(b) of the Environmental Planning and Assessment Act 1979 (the Act).

Issues

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

1. The hydrant booster assembly enclosure did not contain a lock compatible with an FRNSW 003 access key, contrary to the requirements of Clause 7.9 of AS2419.1-2005.
2. FRNSW advised an owner representative of the key issue and was assured the lock would be replaced with a 003-key lock.

FRNSW Recommendations

FRNSW did not make any recommendation, other than for the City to determine whether further investigation is required in the matter.

COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:

Issue Order (NOI)	Issue emergency Order	Issue a compliance letter of instruction	Cited Matters rectified	Continue with compliance actions under the current Council Order	Other (to specify)

It is recommended that Council not exercise its powers to give a fire safety order under Schedule 5 of the Environmental Planning and Assessment Act 1979 at this time as the non-compliant lock has been replaced and now complies with FRNSW requirements and the Australian Standard.

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	2020/211721-01

Trim Reference: 2020/235495

CSM reference No#: 2305427

Unclassified



File Ref. No: BFS20/1149 (11181)

TRIM Ref. No: [REDACTED]

7 May 2020

The General Manager
City of Sydney Council
GPO Box 1591
SYDNEY NSW 2001

Email: council@cityofsydney.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER
'LIV APARTMENTS'
93-105 QUAY STREET, SYDNEY ("the premises")**

In response to the public health orders issued by the Minister for Health and Medical Research, an inspection of 'the premises' on 10 April 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW), 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).

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.

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.

Fire and Rescue NSW

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Community Safety Directorate
Fire Safety Compliance Unit

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Unclassified

COMMENTS

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

1. Essential Fire Safety Measures

1A. Fire Hydrant System – The following comments are provided having regard to AS 2419.1.2005:

a) The booster assembly:

- i. The hydrant booster assembly enclosure did not contain a lock compatible with FRNSW access key (003 key), contrary to the requirements of Clause 7.9 of AS2419.1-2005.

The Hotel Director was advised of such requirement at the time of the inspection and FRNSW were assured a 003 key lock would be provided.

Notwithstanding the comments provided, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.

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 BFS20/1149 (11181) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

[REDACTED]
Senior Building Surveyor
Fire Safety Compliance Unit