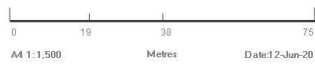
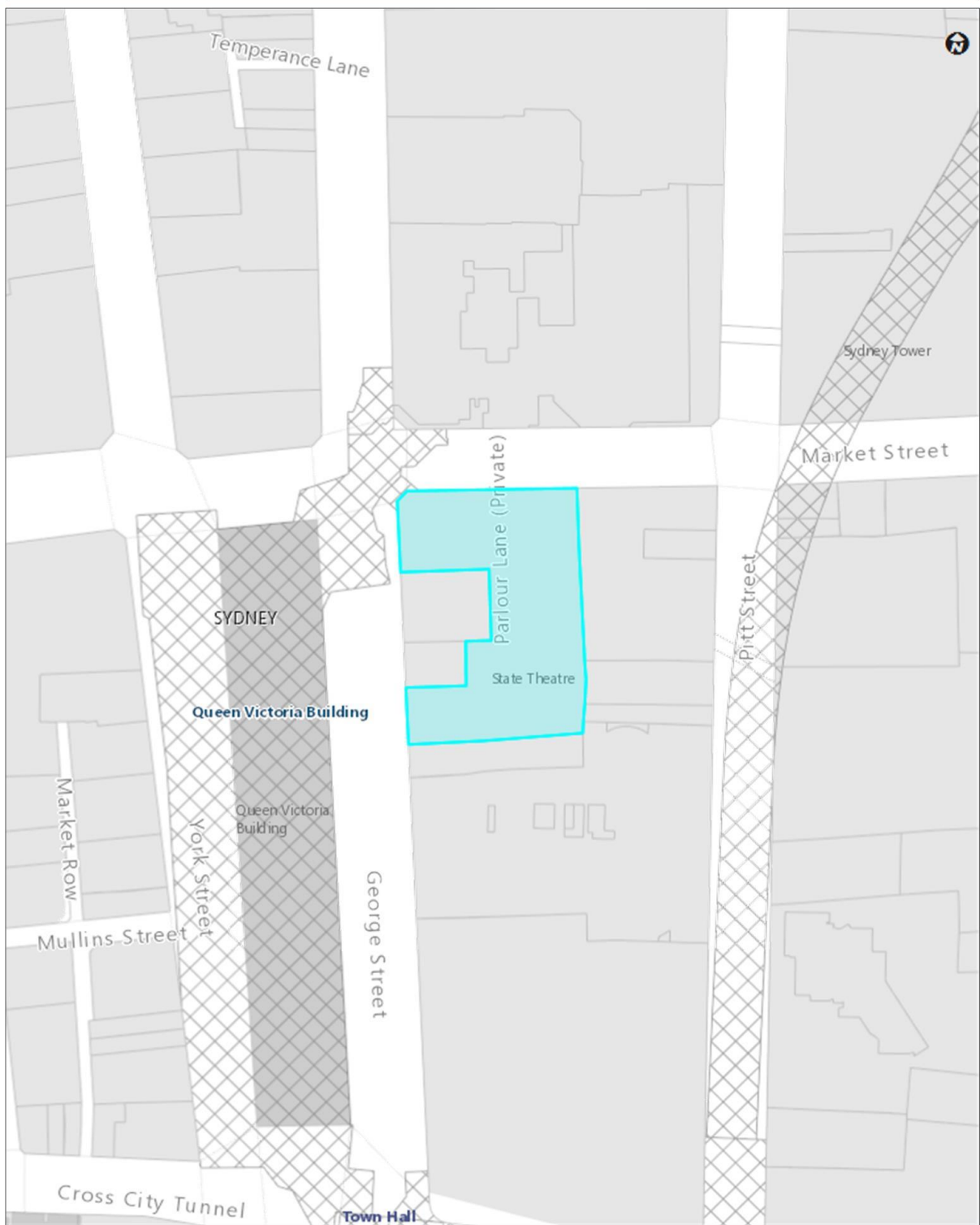


Attachment K

**Inspection Report -
49-51 Market 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 2308365

Officer: Ashley Host

Date: 4 June 2020

Premises: 49-51 Market Street, Sydney (QT Hotel Sydney)

Executive Summary:

Fire and Rescue NSW conducted an inspection of the subject premises 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 11 May 2020 in relation to the subject premises with respect to matters of fire safety.

The premises consists of a 12 storey mixed use building including hotel, offices and theatre exceeding more than 25 metres in height.

An inspection of the premises undertaken by a Council investigation officer in the presence of the QT Hotel Front Office Manager revealed that there were no significant fire safety issues occurring within the building.

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.

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 are considered adequate in the circumstances, and an adequate interim fire safety management plan has been put in place.

Observation of the external features of the building did not identify the existence of potential combustible composite cladding on the façade of the building.

Chronology:

Date	Event
11/05/2020	FRNSW correspondence received regarding premises 49-51 Market Street, Sydney
03/06/2020	An inspection of the subject premises was undertaken by Council investigation officer Ashley Host in attendance with the Front Office Manager. The inspection disclosed that parts of the smoke detection and alarm system within the hotel component (QT Hotel) of the building are being isolated to undertake maintenance and repair work whilst those parts are unoccupied.

FIRE AND RESCUE NSW REPORT:

References: BFS20/1084 (11129), D20/34854, 2020/203606

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 the following issue with regards to the building located at 49-51 Market Street, Sydney:

1. Essential Fire Safety Measures

1A. Smoke Detection and Alarm System

A. The Fire Indicator Panel (FIP) was displaying one (1) isolation and two (2) faults at the time of the inspection. Also, the Alarm Signalling Equipment (ASE) was displaying a 'Primary Link Fail'.

Following the inspection, discussions were had with the Maintenance Supervisor of the QT Sydney. He advised that he would contact the fire service technician to attend 'the premises' to fix the issues identified.

On 16 April 2020, FRNSW received an email from the Maintenance Supervisor, providing evidence that the isolation and faults had been removed from the FIP.

On 23 April 2020, FRNSW received an email from the Maintenance Supervisor, providing evidence that the 'Primary Link Fail' had been removed from the ASE display panel and was in normal operation. The email also provided advice that the ASE had been upgraded to a dual SIM.

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

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 (see below)

As a result of a site inspection undertaken by Council investigation officers 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.

The above proposed correspondence will instruct 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.

Trim Reference: 2020/244322

CSM reference No#: 2308362

Unclassified



File Ref. No: BFS20/1084 (11129)
TRIM Ref. No: D20/34854
Contact: [REDACTED]

11 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
'QT SYDNEY'
49 MARKET 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' was conducted by Authorised Fire Officers of Fire & Rescue NSW (FRNSW) on 10 April 2020, 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 QT Sydney, 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.

Fire and Rescue NSW

ABN 12 593 473 110

www.fire.nsw.gov.au

Community Safety Directorate
Fire Safety Compliance Unit

1 Amarina Ave
Greenacre NSW 2190

T (02) 9742 7434
F (02) 9742 7483

www.fire.nsw.gov.au

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Unclassified

COMMENTS

The following items were identified during the inspection:

1. Essential Fire Safety Measures

1A. Smoke Detection and Alarm System

- A. The Fire Indicator Panel (FIP) was displaying one (1) isolation and two (2) faults at the time of the inspection. Also, the Alarm Signalling Equipment (ASE) was displaying a 'Primary Link Fail'.

Following the inspection, discussions were had with the Maintenance Supervisor of the QT Sydney. He advised that he would contact the fire service technician to attend 'the premises' to fix the issues identified.

On 16 April 2020, FRNSW received an email from the Maintenance Supervisor, providing evidence that the isolation and faults had been removed from the FIP.

On 23 April 2020, FRNSW received an email from the Maintenance Supervisor, providing evidence that the 'Primary Link Fail' had been removed from the ASE display panel and was in normal operation. The email also provided advice that the ASE had been upgraded to a dual SIM.

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 BFS20/1084 (11129) for any future correspondence in relation to this matter.

[REDACTED]

[REDACTED]

[REDACTED]

Senior Building Surveyor
Fire Safety Compliance Unit