

Attachment D

**Inspection Report -
715-723 George Street, Haymarket**



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Meters
Date: 1-Jun-20

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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: 2020/227330

Officer: G. Scotton

Date: 5 June 2020

Premises: 715-723 George Street, Haymarket

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises with respect to matters of fire safety.

The premises comprises a part five (5) storey (George Street)/part nine (9) storey building (Thomas Lane at the rear), known as the Great Southern Hotel, containing upper level accommodation, a ground floor level hotel, and a basement parking level. Records indicate the building is a Heritage Item under the Sydney LEP 2012, described as a notable example of an Inter-War Stripped Classical style building. The premises comprises a strata plan, with three separately owned lots, being the tavern, the hotel, and a retail occupancy.

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 is displayed within the foyer of 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, such as to some exit signs/warning and operational signs, relocation of hydrant logbooks to the hydrant pump room, 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, issued on 16 June 2020.

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

Chronology:

Date	Event
26/5/2020	FRNSW correspondence received regarding an inspection of the premises.
29/5/2020	A review of Council records was undertaken by a Council officer, when it was noted that the current fire safety statement certifies maintenance of an extensive array of twenty-three (23) fire safety measures including smoke detection, sprinklers, emergency warning and intercommunication system, pressurising systems, fire hydrants/hose reels, and drenchers.
29/5/2020	The matters of concern raised by FRNSW relating to maintenance of fire safety measures were referred to representatives of the building owner for information and resolution, and a hotel representative acknowledged same and has indicated arrangements for the matters to be attended to.
5/6/2020	The site inspection revealed: <ul style="list-style-type: none">-Fire safety measures generally appearing well maintained-No faults or isolations in the fire panel, no smoke detectors covered-No obstruction of exits, or evidence of smoking inside the building during the inspection-Fire doors tagged, and self-closing as required-Thermal detector found in a basement in an area suited for same-A few exit signs requiring routine maintenance

	-A small area to a fire isolated exit requiring replacement/maintenance of fire stopping -Hydrant log books at fire panel require relocation to hydrant pump room -Although no strobe light/block plan for the fire alarm is provided as required by the current version of the Australian Standard, hotel management is agreeable to arrange same -Warning and operational signage generally satisfactory, subject to minor adjustments
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FIRE AND RESCUE NSW REPORT:

References: [BFS20/1333, 2020/236092-01]

Fire and Rescue NSW conducted an inspection of the subject premises in company of Officers of the NSW Police Force, for unspecified reasons.

Issues

The report from FRNSW related to maintenance issues with the fire alarm, fire hydrant log book, certain fire doors, warning signs on fire doors, exit signs, fire stopping material to an exit, and querying fire doors to a passageway, and obstruction of an exit.

FRNSW Recommendations

That Council inspect and address any other deficiencies at the premises, and to require the items in the report to be appropriately addressed.

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 inspection and assessment of the issues undertaken by Council fire safety officer the owners of the building were 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 and certify remedial actions to existing fire systems to cause compliance with required standards of performance.

A follow-up inspection will be undertaken by a Council fire safety 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 and 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	2020/236092-01

Trim Reference: 2020/236092

CSM reference No#: 2316752

Unclassified



File Ref. No: BFS20/1333 (11373)
TRIM Ref. No: D20/39314
Contact: [REDACTED]

26 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 General Manager

**Re: INSPECTION REPORT
'GREAT SOUTHERN HOTEL'
717 – 723 GEORGE STREET SYDNEY ("the premises")**

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 5 May 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW). The inspection was also conducted in the company of Officers from the NSW Police Force.

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.

Fire and Rescue NSW

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Unclassified

COMMENTS

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items are limited to observations of the building accessed at the time of the inspection and identifies possible deviations from the National Construction Code 2019, Volume 1 Building Code of Australia (NCC). FRNSW acknowledges that the deviations may contradict development consent approval or relate to the building's age. It is therefore council's discretion as the appropriate regulatory authority to consider the most appropriate action.

The following items were identified as concerns during the inspection:

1. Essential Fire Safety Measures

- 1A. Maintenance – Clause 182 of the Environmental Planning and Assessment Regulation 2000 requires that an Essential Fire Safety Measure must be maintained to a standard no less than when it was first installed. The following was noted at the time of the inspection:
 - A. Fire Indicator Panel (FIP) – At the time of the inspection, the FIP was isolated as a result of faults to the system. The sub FIP located in the office also displayed a similar isolation. Upon notification, the general manager notified the service technician to repair the isolation. A reinspection on 12 May 2020 confirmed that the faults had been repaired, and the FIP was free of isolations.
 - B. Alarm Delay Facility – At the time of the inspection, the maintenance officer advised that there was an alarm delay facility in place for the detection of smoke. A review of the Annual Fire Safety Statement could not confirm whether this is correct. A review of council's records may be required.
 - C. Exit signs – A number of exit signs were either not operating when the test button was pressed or were not illuminated.
 - D. Smoke Detector – There were a number of smoke detectors in the basement parking area that were covered with plastic bags. Upon notification, the maintenance facilities officer removed the covers off the detectors. It would appear that the basement area is also used for smokers.
 - E. Thermal Detectors – The passageway leading to Thomas Street appears to be a fire isolated exit, and included a thermal detector. It is unclear why a thermal detector has been installed. A review by council may be required.
- 1B. Regular Maintenance – Australian Standard AS1851-2012 (amendment 1) - "Service of fire protection systems and equipment", requires essential service measures to be regularly tested. The following is noted:

- A. Log Books – Clause 1.16.2 of requires service logbooks to be left on site. At the time of the inspection, copies of current services records were unavailable for the hydrant booster. As a result, it was difficult to establish whether the booster is maintained.
 - B. Fire Doors / Smoke Doors – Section 12.2.4. requires fire doors and smoke doors to be appropriately tagged. At the time of the inspection the doors in the basement and staff area (that appears to be a fire isolated passageway) appeared to be missing tags or are not fire doors. Moreover, the door in the staff room was missing hardware, which meant the doors included openings to a fire door.
- 1C. Fire Indicator Panel (FIP) – At the time of the inspection the following was observed:
- A. Visual Warning Device (VWD) Strobe – Clause 3.8 of the Australian Standard 1670.1 -2015 requires a strobe to be visible from the main approach of “the premises” and be as near as practicable to the Designated Building Entry Point (DBEP). At the time of the inspection, a VWD strobe could not be located external of the building.
 - B. Zone Block Plan – Clause 3.10 of the Australian Standard 1670.1 -2015 requires a Zone Block Plan to be securely mounted and located adjacent to the FIP. At the time of the inspection, a Zone Block Plan could not be located.
2. Access and Egress
- 2A. Basement Staff Area – At the time of the inspection the following was observed:
- A. Fire Exit Signage – At first glance the staff basement area appears to be a fire isolated exit as there is signage that states “OFFENCE RELATING TO FIRE EXITS” attached to the Fire Exit in accordance with clause 183 of the EP&A Regulation. There was a Coca Cola Vending Machine observed in the isolated exit along with ladders and other items. Upon writing this report, the items have since been removed.
 - B. Signage – There were a number of final exit doors from the staff area leading to George Street that lacked appropriate signage. D2.23 of the NCC requires fire doors that lead from a fire isolated exit to a road or open space, be provided with signage that contains specific wording, font size and colours.
 - C. Exit Signs – Performance Requirement EP4.2 of the NCC requires that suitable signs be installed to identify the location of exits. At first sight, there is insufficient cues to identify where the exits are located. A review of the exit strategy may be required.

- 2B. Doors relating to Fire Exits – Clause 184 and Clause 185 of the EP&A Regulation requires exit doors from the premises to be free of obstruction. It is at council's discretion to determine whether the door from the carpark to George Street is a required exit, and the lock to the door constitutes an obstruction.
- 2C. Paths of Travel to Fire Exits – Paths of travel from 'the premises' to a fire exit, including the operation of the Fire Exit door were either obstructed or impeded in contravention of Clause 184 & Clause 186 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). At the time of the inspection various building materials were observed in the second exit from the carpark leading to Thomas Street (which appears to be a fire isolated exit).
- 3. Compartmentation
 - 3A. Fire Isolated Exits – There was a passageway in the staff area leading to George Street and carpark to Thomas Street that appeared to be a fire isolated exit. The following may require further investigation:
 - A. A review may be required to determine if the passageway is approved as a fire isolated exit.
 - B. If approved as a fire isolated exit the following may need to be considered:
 - i. Clause C3.5 of the NCC requires that fire doors in a fire wall are to be self-closing, as such the self closing devices to door/s installed within (fire isolated exit / compartment) were damaged or missing. There was no tag to the staff room door confirming that the door achieved the relevant FRL.
 - ii. Clause C3.9 of the NCC minimises the number of service penetrations into the fire isolated exit by only allowing the services specified. There were penetrations and services observed within the passageway leading to Thomas Street that included pink foam. It is unclear whether pink foam achieves the relevant protection for penetrations in slabs.
- 4. Generally
 - 4A. Investigation Outcomes – The following are items are provided to council as part of the investigation on Tuesday 5 May 2020:
 - A. At the time of the inspection it appears that staff are using the basement parking area as an area for smokers.
 - B. At first glance this may confirm why the smoke detectors were covered. An alternate area may be required for the staff to smoke.

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 to item no. 4 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 BFS20/1333 (11373) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

Senior Building Surveyor
Fire Safety Compliance Unit