

# **Attachment E**

**Inspection Report -  
169-179 Thomas Street, Haymarket**



THIS MAP IS PROVIDED FOR INFORMATION ONLY. IT IS NOT A LEGAL DOCUMENT. THE CITY OF SYDNEY DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED ON THIS MAP. THE CITY OF SYDNEY IS NOT RESPONSIBLE FOR ANY LOSS OR DAMAGE, INCLUDING BUT NOT LIMITED TO, LOSS OF PROFITS, LOSS OF BUSINESS, OR LOSS OF DATA, ARISING FROM THE USE OF THIS MAP. THE CITY OF SYDNEY IS NOT RESPONSIBLE FOR ANY LOSS OR DAMAGE, INCLUDING BUT NOT LIMITED TO, LOSS OF PROFITS, LOSS OF BUSINESS, OR LOSS OF DATA, ARISING FROM THE USE OF THIS MAP.

**Council investigation officer Inspection and Recommendation Report**  
**Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment**  
**Act 1979 (the Act)**

**File: CSM 2312955**

**Officer: Tereza Wickerson**

**Date: 10 June 2020**

**Premises: 169-179 Thomas Street, Haymarket**

---

**Executive Summary:**

Fire and Rescue NSW conducted an inspection of the premises on 6 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 19 May 2020 in relation to the subject premises with respect to matters of fire safety. The premises includes a two storey sandstone building and twenty storey podium type tower(s) with car parking station, and is located along Thomas Street, Quay Street and Bijou Lane in Haymarket. The subject premises' primary use is for hotel accommodation known as, 'Novotel Central Sydney'.

The two storey sandstone building located on Thomas Street, is identified as a Heritage building under the City's Central Sydney's Local Environmental Plan of 2012.

An inspection of the premises undertaken by a Council investigation officer in the presence of the Hotel's Duty 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 there remain minor fire safety "maintenance and management" works to attend to being the maintenance repair of a detector and egress door. 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(s) through written instruction from Council.

Council does not intend to issue the owner(s) with a Penalty Infringement Notice with respect to fire safety equipment at this time, as the minor maintenance matters are being addressed.

It is considered that the items identified by FRNSW have been addressed by the issue of a compliance letter.

Observation of the external features of the building did not identify the existence of any combustible composite cladding on the façade of the building(s).

---

**Chronology:**

Date	Event
20/05/2020	FRNSW correspondence received regarding premises 'Novotel Sydney Central' 166-179 Thomas Street Sydney ("the premises") known as 169-179 Thomas Street Haymarket
21/05/2020	An initial desktop review revealed premises contains a Heritage Item building under Sydney's Local Environmental Plan 2012, no are no current building works or enforcement action. The building has a compliant fire safety statement.
26/05/2020	An inspection of the subject premises was undertaken by a Council officer which found the Hotel was no longer being used as Covid-19 quarantine accommodation. The inspection of lower ground staff area identified minor maintenance issues; one fire panel smoke detector fault and missing egress door handle; however fire contractor attendances were noted addressing the issues.
28/05/2020?	Council issued a compliance letter instructing the owner to rectify maintenance issues including ensuring repairs to a smoke detector, egress door handle(s) and verification of other fire systems. Council has scheduled progress inspection in relation to required works
10/06/2020	Report prepared, to table FRNSW report to Council meeting scheduled for 27 July 2020

---

**FIRE AND RESCUE NSW REPORT:**

References: [BFS20/1073, D20/37481

Fire and Rescue NSW conducted an inspection of the subject premises on 6 April 2020 in response to a public health order issued by the Minister for Health and Medical Research, the premise being used as Covid-19 quarantine accommodation.

Issues The report from FRNSW detailed a number of issues, in particular noting:

1. Three faults identified on the Fire indicator Panel, no other faults to sprinkler system or other
2. Egress paths clear, the evacuation of the hotel being overseen by the Police and Navy at that time.

FRNSW Recommendations.

FRNSW have made no direct recommendation within their report other than legislative notification and advised that it is at Council's discretion to inspect and address any other deficiencies identified on the premises.

---

---

**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

Issue Order(Not)	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 above site inspection undertaken by Council investigation officers it is recommended that the owners of the building continue to comply with the written fire safety compliance instructions as issued by Council officers to rectify the identified fire safety deficiencies noted by FRNSW.

The above correspondence has instructed the responsible site personnel to carry out corrective actions to promote compliance.

Follow-up compliance inspections are currently being undertaken, and will continue to 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 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 outcomes.

---

**Referenced documents:**

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2020/251032 -01

**Trim Reference:** 2020/251032

**CSM reference No#:** 2312955

Unclassified



File Ref. No: BFS20/1073 (11117)  
TRIM Ref. No: D20/37481  
Contact: [REDACTED]

19 May 2020

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

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER  
'NOVOTEL SYDNEY CENTRAL'  
166-179 THOMAS 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 6 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.

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

ABN 12 593 473 110

[www.fire.nsw.gov.au](http://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](http://www.fire.nsw.gov.au)

Page 1 of 3

Unclassified

## 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. Fire Indicator Panel (FIP) – At the time of the inspection there were 3 faults identified on the FIP. The following is provided to council as part of the inspection on 6 April 2020:
    - A. Testimony – Confirmed with the Maintenance Engineer that:
      - i. He is aware of the faults and that this forms part of the current maintenance programme.
      - ii. None of the faults are within the occupied rooms. One fault is in an unoccupied room and the other two are in the carpark.
  - 1B. Alarm Signalling Equipment (ASE) – At the time of the inspection there were no faults or isolations observed.
  - 1C. Sprinkler and Hydrant Systems – At the time of the inspection there were no faults or isolations observed.
2. Evacuation.
  - 2A. Evacuation – The following are provided to council as part of the inspection on 6 April 2020:
    - A. The evacuation of the hotel is conducted by the Police and Navy.
    - B. An amended evacuation procedure has been implemented to cater for the social distancing requirements.
    - C. The amended evacuation procedure was produced by the police. All of the occupants follow directions for egress from the Police and Navy– who conduct daily briefings.
3. Access and Egress
  - 3A. Egress Paths – At the time of the inspection the egress paths that provided direct egress for the occupants of the building were clear.

Unclassified

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Edren Ravino of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/1073 (11117) for any future correspondence in relation to this matter.

Yours faithfully

A large black rectangular redaction box covering the signature of the Fire Safety Compliance Unit. To the left of the box, there are two small blue horizontal lines, possibly indicating a signature or a mark.

Fire Safety Compliance Unit

Unclassified

---