

Attachment G

**Inspection Report -
100 Murray Street, Sydney**



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**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 2020/233406

Officer: Jae Lee

Date: 29 May 2020

Premises: 100 Murray Street Sydney – Novotel Darling Harbour

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 building consists of eleven (11) storeys with the approved uses being a class 3 hotel, class 5 offices, class 7a carpark and class 9b assembly hall.

The site has a primary street frontage to Murray Street. The site is bounded by Darling Drive to the East and Pyrmont Street to the South.

An inspection of the premises undertaken by a Council investigation officer in the presence of the Chief Engineer revealed that there were no significant fire safety issues occurring within the building. The maintenance issues noted by Fire Rescue NSW were rectified.

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.

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

Chronology:

Date	Event
19/05/2020	FRNSW correspondence received regarding premises 100 Murray Street, Sydney
26/05/2020	An inspection of the premises undertaken by a Council investigation officer in the presence of the Chief Engineer revealed that all of the issues relating to the Essential Fire Safety Measures, Evacuation Procedures and Access/Egress Paths noted by Fire Rescue NSW were found to be in a state of compliance and no further issues were to be found.

FIRE AND RESCUE NSW REPORT:

References: [BFS 20/1098; D 20/37841; our Trim reference 2020/233406

Fire and Rescue NSW conducted an inspection of the subject premises in relation to the adequacy of the provision for fire safety in connection with the premises.

Issues

The report from FRNSW detailed a number of concerns, in particular noting:-

1. Essential fire safety measures as listed on the report from FRNSW.
2. Evacuation procedures.
3. Access and egress.

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(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)

Inspections undertaken by a Council investigation officer in company with the Chief Engineer revealed that the above recommendations of FRNSW have been complied with.

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	2020/233406-03
A2.	Attachment cover sheet	2020/194299-01
A3	Locality Plan	2020/194299-02

Trim Reference: 2020/233406

CSM reference No#: 2312951

Unclassified



File Ref. No: BFS20/1098
TRIM Ref. No: D20/37841
Contact: [REDACTED]

19 May 2020

General Manger
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
'NOVOTEL DARLING HARBOUR'
100 MURRAY 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.

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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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.

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 no faults isolations identified on the FIP.
 - 1B. Alarm Signalling Equipment (ASE) – At the time of the inspection there were no faults or isolations observed.
 - 1C. Emergency Warning and Intercommunication System– At the time of the inspection there were no faults or isolations observed.
 - 1D. 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 directed by the Police and Army.
 - B. An amended evacuation procedure has been implemented to cater for the social distancing requirements.
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.

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 [REDACTED]. Please ensure that you refer to file reference BFS20/1098 for any future correspondence in relation to this matter.

Unclassified

Yours faithfully

[Redacted signature]

[Redacted name]
Senior Building Surveyor
Fire Safety Compliance Unit

[Redacted footer]