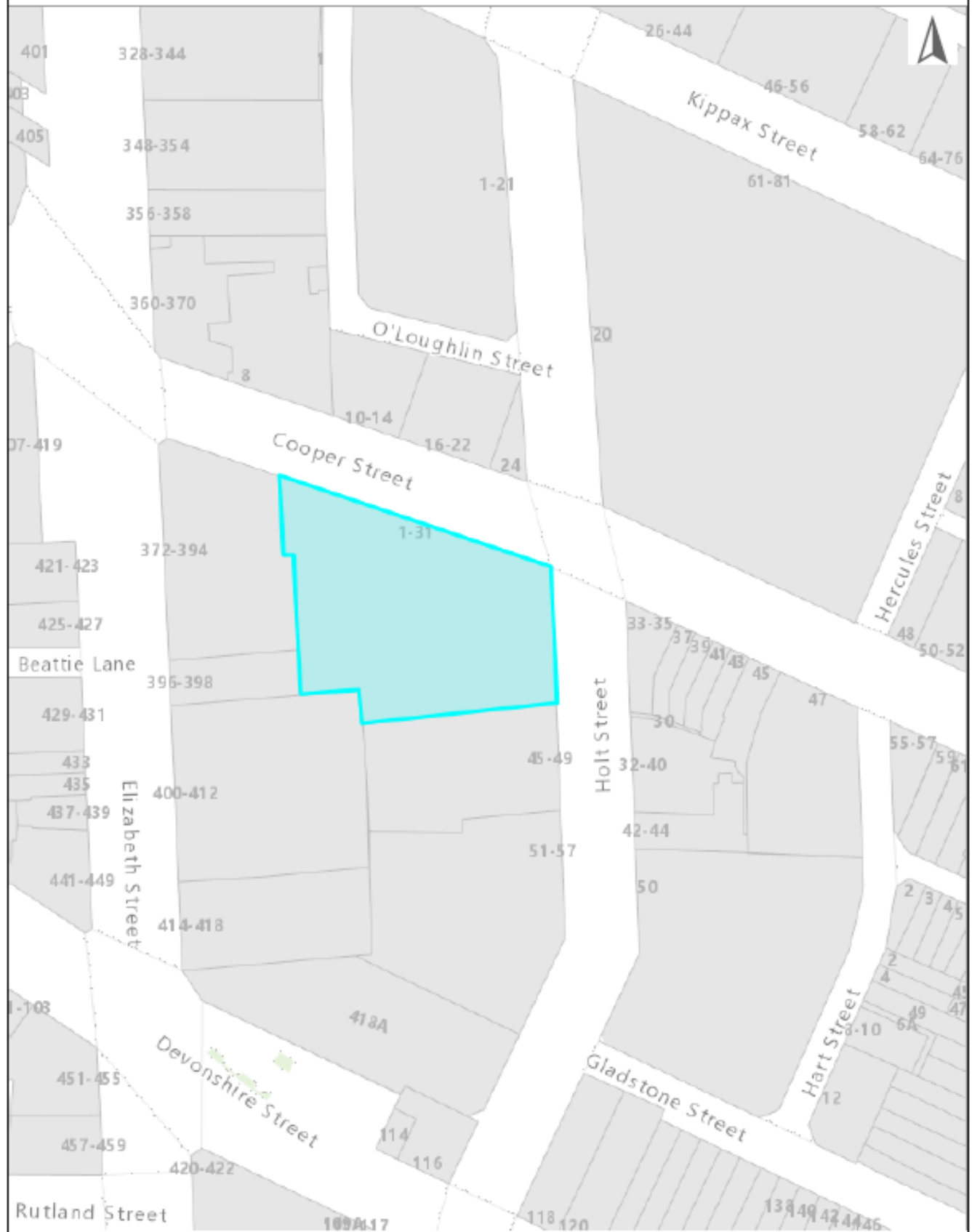


Attachment C

**Inspection Report
1-31 (21) Cooper Street, Surry Hills**

1-31 Cooper Street Surry Hills



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Notes 18/03/2021

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

File: 2021/125675

Officer: G. Scotton

Date: 23 March 2021

Premises: 1-31 (aka 21) Cooper Street, Surry Hills

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 comprise a four (4) storey building, including ground floor retail tenancies with vehicle parking, upper office levels and an educational suite. Whilst the letter from FRNSW refers to the address as 21 Cooper Street, Surry Hills, the subject shop premises at no. 21 Cooper Street is part of the site shown in City records as 1-31 Cooper Street, Surry Hills.

Records indicate that 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, compliant, and is prominently displayed within the building adjacent to the fire indicator panel, 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 including maintenance of directional exit signs and modification of exit hardware, 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.

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

Chronology:

Date	Event
15/3/2021	FRNSW correspondence dated 15 March 2021 received regarding a complaint alleging that customers were locked in the building at no. 21 Cooper Street known as <i>The Fabric Store</i> to manage customer numbers and Covid-19 physical distancing requirements. The concern being that there is no way to exit except when allowed out by staff with a key.
18/3/2021	A review of City records was undertaken by a Council officer revealed: <ol style="list-style-type: none"><li data-bbox="379 398 1552 465">1. A fire safety Order dated 20 August 2008 relating to the premises was complied with on 15 September 2009.<li data-bbox="379 468 1552 562">2. A current fire safety statement has been provided, certifying maintenance of eleven fire safety measures, including sprinklers, building occupant warning system, and a fire alarm monitoring communication link.
23/3/2021	Inspection of the premises revealed that: <ol style="list-style-type: none"><li data-bbox="331 600 1552 667">1. The exit from <i>The Fabric Store</i> at 21 Cooper Street was not obstructed and was open to Cooper Street.<li data-bbox="331 669 1552 736">2. Exits to the retail tenancy at no. 21 Cooper Street, were capable of being locked with a key locked and therefore were non-compliant.<li data-bbox="331 739 1552 806">3. The premises are otherwise provided with two fire isolated exit stairs which are generally well maintained<li data-bbox="331 808 1552 875">4. The premises are sprinklered and there were no faults or isolations in the fire indicator panel<li data-bbox="331 878 1552 958">5. Fire safety measures were provided and generally well maintained according consistent with the fire safety schedule, subject to minor maintenance such as to directional exit signage, and minor adjustment of a closing device to a fire door

IRE AND RESCUE NSW REPORT:

References: [BFS20/1506, 2021/125675-01]

Issues

The report from FRNSW included advice that at the time of inspection, the path of travel to the required exit was clear and the door was not locked, and that the store manager informed FRNSW the procedure of locking the exit door no longer occurs.

FRNSW Recommendations

FRNSW have provided no recommendation in the matter and have advised that the comments were provided for information.

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 assessment of the issues undertaken by Council investigation officers the owners of the building have been issued with written instructions to rectify/certify certain identified fire safety deficiencies noted by Council.

The written instructions have directed the owners of the premises to carry out remedial actions to existing fire systems and exit doors to cause compliance with legislation and required standards of performance.

Follow-up assessment/inspection will be undertaken by a Council officer to ensure all identified fire safety matters are suitably addressed and that compliance with the terms of Council's correspondence 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	2021/125675-01

Trim Reference: 2021/125675

CSM reference No#: 2501862

Unclassified



File Ref. No: BFS20/1506 (11542)

TRIM Ref. No: D21/15063

Contact: [REDACTED]

15 March 2021

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
'THE FABRIC STORE'
21 COOPER STREET, SURRY HILLS ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence on 16 May 2020, in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- *They are keeping customers locked in the store with no way to exit except waiting for a staff member with a key.*
- *Due to COVID 19, the store is only allowing 10 customers in at a time. They are keeping the doors of the store locked for this reason. When customers wish to leave, they must wait for a staff member to unlock the front door with a key.*
- *This means that if there was a fire or emergency, there would be no way for customers to get out of the building without a staff member letting them out.*
- *I raised this issue with a staff member, and they were not interested in changing their system.*

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 26 February 2021 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW).

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

Page 1 of 2

Unclassified

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.

COMMENTS

At the time of the inspection, the path of travel to the required exit was clear and the door was not locked. The store manager informed FRNSW the procedure of locking the exit door no longer occurs.

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 BFS20/1506 (11542) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]