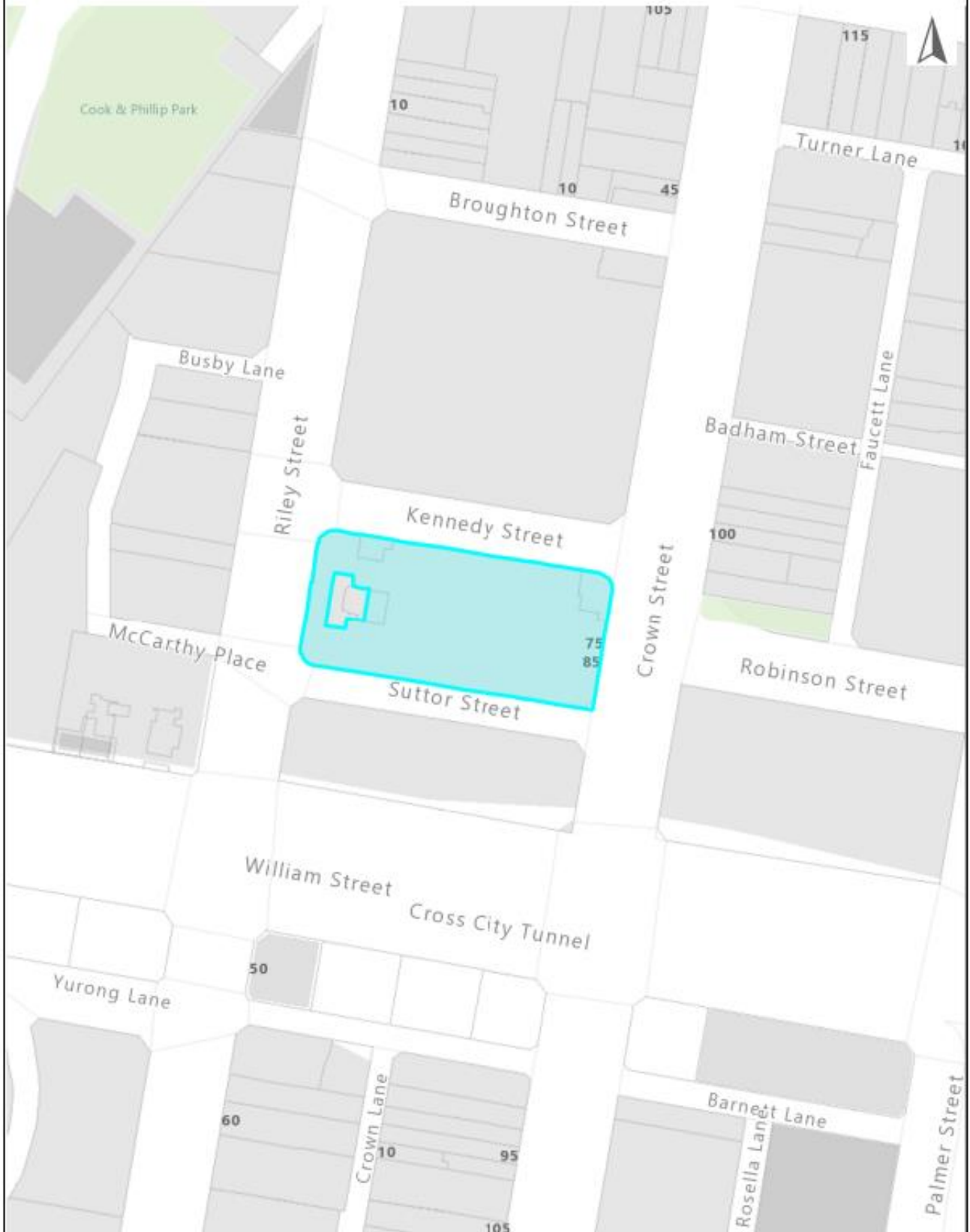


Attachment J

**Inspection Report
75 Crown Street, Woolloomooloo**

75 Crown Street, Woolloomooloo



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Notes

26/07/2023

**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 3011097

Officer: Ashley Host

Date: 10 August 2023

Premises: 75 Crown Street, Woolloomooloo (former “City Ford” building)

Executive Summary:

Council received correspondence dated 29 June 2023 from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises with respect to matters of fire safety.

The site contains a mixed-use commercial and residential building containing 15 residential units, a health service facility (private hospital), supermarket and commercial parking station. The building is eight storeys in height.

The site is listed as a local heritage item in the SLEP 2012 described as ‘Commercial building “Former Hastings Deering Building”’. It is located within the Woolloomooloo Conservation Area.

An inspection of the premises undertaken by a Council officer 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 2021.

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
29.06.2023	FRNSW correspondence received regarding premises 75 Crown Street, Woolloomooloo
01.08.2023	An inspection of the subject premises was undertaken by a Council officer which revealed minor fire safety breaches which are being attended to by the Owners of the building. The following was noted during the inspection and requires further action. <ul style="list-style-type: none">• Remove all items stored within paths of travel to an exit; and• Install an updated fade and water-resistant hydrant block plan to the existing hydrant booster enclosure.

FIRE AND RESCUE NSW REPORT:

References: [BFS23/3051 (28677), D2023/057271; Trim Ref: 2023/397991]

Fire and Rescue NSW (FRNSW) received correspondence on 5 June 2023 concerning the adequacy of the provision for fire safety in connection with the premises following their response to an automatic fire alarm at the premises.

Issues

The report from FRNSW detailed numerous issues, in particular noting:

Issue	City response
A fire-rated door was noted as being propped open within the path of travel to the staff area along the northern side of the building.	No action required – no doors were observed to be propped open at the time of inspection.
A large number of boxes and other objects were noted as being stored within numerous paths of travel to exits.	To be addressed by corrective action letter - to require all items stored within paths of travel to an exit be relocated to a more appropriate space.
The fire hydrant system lacks a complete block plan contrary to the requirements of Clause 11.5 of AS 2419.1-2021.	To be addressed by corrective action letter - to install an updated permanent water and fade resistant zone block plan of the fire hydrant system at the booster assembly in accordance with Clause 7.11 of AS2419.1.2005.
A low head-height clearance within parts of the fire hydrant / sprinkler pump room was evident due to the location of pipes.	No action required - the pump room does not have the space to facilitate increased height clearances due to existing site constraints. The pumproom has an internal height clearance of 2.1m in accordance with AS2419.1-2005.
Zone 9 (level 6) of the smoke detection system was noted as being isolated. The most recent maintenance logbook entry noted that this was due to works being carried out on this floor.	No action required - The isolation was corrected at the time of the inspection and the system fully operational. No parts of the system were disabled or isolated at the time of inspection.

FRNSW Recommendations

FRNSW have made two recommendations within their report. In general, FRNSW have requested that Council:

1. Inspect the subject premises and take action to have the identified fire safety issues appropriately addressed.
2. Advise them in writing of its determination in relation to this matter in accordance with the provisions of 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 preliminary site inspection undertaken by Council investigation officers a compliance letter dated 10 August 2023 was sent issuing instructions to address the fire safety deficiencies identified by FRNSW.

The above correspondence has requested that the building management remove all items from paths of travel, replace and to update the hydrant block plan to the existing hydrant booster.

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/Attached Documents:

2023/39799	FRNSW S9.32 report dated 29 June 2023
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Trim Reference: 2023/013482

CSM reference No#: 3011097

OFFICIAL



File Ref. No: BFS23/3051 (28677)
TRIM Ref. No: D2023/057271
Contact: [REDACTED]

29 June 2023

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
EAST SYDNEY PRIVATE HOSPITAL
75 CROWN STREET, WOOLLOOMOOLOO ("the premises")**

Fire and Rescue NSW (FRNSW) received correspondence on 5 June 2023 concerning the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- *The fire door is propped open.*
- *The emergency exit corridor is blocked by boxes.*

The correspondence related to the East Sydney Private Hospital (level 4).

Pursuant to Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW inspected 'the premises' on 15 June 2023.

On behalf of the Commissioner of FRNSW, the comments in this report are provided under Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

The items listed in the comments of this report are based on the following limitations:

- A general overview of the building was obtained without using the development consent conditions or approved floor plans as a reference.

Fire and Rescue NSW

ABN 12 593 473 110

www.fire.nsw.gov.au

Community Safety Directorate
Fire Safety Compliance Unit

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Greenacre NSW 2190

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- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.

COMMENTS

Please be advised that the items in this report are limited to observations of the building accessed during the inspection and identify possible nonconformities with the National Construction Code 2022, Volume 1 Building Code of Australia (NCC) and provisions for fire safety. The items are not an exhaustive list of non-compliances. FRNSW acknowledges that the differences observed at the time may contradict development consent approval or relate to the building's age. Therefore, it's the Council's discretion as the appropriate regulatory authority to consider the most appropriate action.

The following items were identified during the inspection:

1. Compartmentation and Separation
 - 1A. A fire-rated door was noted as being propped open within the path of travel to the staff area along the northern side of the building. This door was returned to normal operation at the time of the inspection.
2. Access and Egress
 - 2A. A large number of boxes and other objects were noted as being stored within numerous paths of travel to exits. Adequate egress width was generally provided to most areas notwithstanding, however, some paths of travel were restricted to less than 1 metre contrary to the requirements of Clause D2D8 of the NCC and Section 109 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
3. Services and Equipment
 - 3A. A schematic diagram of the fire hydrant system is located at the fire hydrant booster, however, a complete block plan is not provided contrary to the requirements of Clause 11.5 of AS 2419.1-2021.
 - 3B. A low head-height clearance within parts of the fire hydrant / sprinkler pump room was evident due to the location of pipes. Concerns are raised that this may result in injury to fire fighters when using the equipment.
 - 3C. Zone 9 (level 6) of the smoke detection system was noted as being isolated. The most recent maintenance logbook entry noted that this was due to works being carried out on this floor.

FRNSW believes that there are inadequate provisions for fire safety within the building.

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Review items 1 to 3 of this report and conduct an inspection.
- b. Address any other deficiencies identified on “the premises”.

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. This matter is referred to Council as the appropriate regulatory authority. FRNSW awaits the Council’s advice regarding its determination under Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Please do not hesitate to contact [REDACTED] of FRNSW’s Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call [REDACTED] if there are any questions or concerns about the above matters. Please refer to file reference BFS23/3051 (28677) regarding any correspondence concerning this matter.

Yours faithfully

[REDACTED]

[REDACTED]
[REDACTED]
Fire Safety Compliance Unit