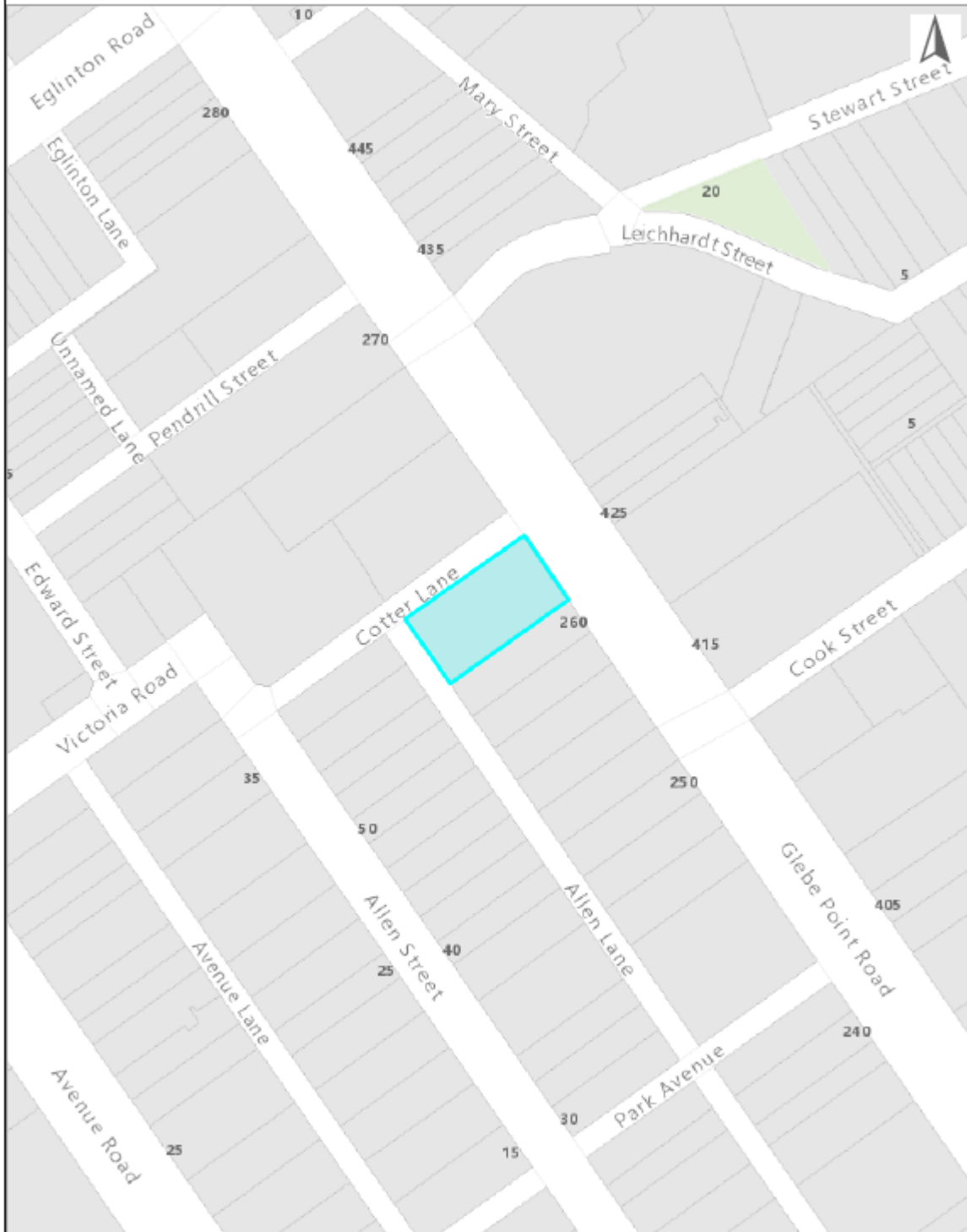


Attachment B

**Inspection Report –
262-264 Glebe Point Road, Glebe**

262-264 Glebe Point Road, Glebe



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Notes

6/09/2023

**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 3027671

Officer: T McCann

Date: 08 September 2023

Premises: 262-264 Glebe Point Road, Glebe

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) on 02 August 2023 in relation to the premises 262-264 Glebe Point Road, Glebe with respect to matters of fire safety. FRNSW inspected the premises after a member of the public raised concerns regarding a number of potential fire safety issues.

The premises (known as The Village Glebe) is located on Glebe Point Road and consists of a six storey building used for short-term tourist / visitor accommodation.

An inspection of the premises undertaken by a Council investigation officer on 29 August 2023, in the presence of the building operators revealed that the premises are deficient in fire safety measures and egress provisions in the following areas:

- i. Lack of suitable fire resisting construction to prevent the spread of fire.
- ii. Lack of safe and dignified emergency egress for occupants to evacuate the building in the event of a fire.
- iii. Poor fire safety management systems (signs/notices/not displayed etc.) in place.

Council investigations have revealed that the premises is deficient in the provisions for fire safety and that a Fire Safety Order is to be issued under Schedule 5 of the Environmental Planning and Assessment Act, 1979 so as to ensure and promote adequate facilities for fire safety/fire safety awareness.

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

Chronology:

Date	Event
02/08/2023	FRNSW correspondence received regarding premises "The Village Glebe" 262-264 Glebe Point Road, Glebe. The correspondence was initiated by correspondence from a member of the public.
21/08/2023	A review of City records showed that the fire safety schedule for the premises contains nine (9) essential fire safety measures, including an automatic fire detection system, and other fire safety measures typical for a building of this classification all of which have been certified as operational and compliant until 11 March 2024 when due for recertification.
29/08/2023	An inspection of the subject premises was undertaken by a Council Officer on 29 August 2023 in the presence of the building operators. All common areas of buildings were inspected, and access was also provided to a number of dormitory rooms on each level. The dormitory rooms inspected appeared compliant in relation to fire safety. No further deficiencies other than those raised by FRNSW were noted during the inspection. Issues specifically raised by FRNSW and responses to those issues, are summarised in the following table.
11/09/2023	Notice of Intention to Give an Order (NOI) issued (reference 2023/457260-01).

FIRE AND RESCUE NSW REPORT:

References: BFS22/4950 (23946)

Fire and Rescue NSW conducted an inspection of the subject premises after becoming aware of cladding through the Government's Project Remediate.

Issues

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

Ref.	Issues identified	City response
1. Essential Fire Safety Measures		
1A	The building has a rise in storeys of 6 and is not provided with a sprinkler system, contrary to the current requirements of Clause E1D6 of the NCC	The applicable regulation at the time of construction was Ordinance 70 which did not require the installation of a sprinkler system. Notwithstanding this, it is considered that a sprinkler system is not required as the building is of solid construction i.e. masonry walls and concrete slabs that will maintain the structural stability enabling occupants to safely evacuate the building in the event of a fire emergency.
1B	A number of fire hose reels within the building did not have their nozzles interlocked, contrary to the requirements of Section 5 of AS 2441-2005	This is a maintenance item and has been addressed.
1C	The Automatic Fire Detection and Alarm System is not monitored by Alarm Signalling Equipment, contrary to the requirements of Clause 8 of Specification 20 of the NCC.	The Automatic Fire Detection and Alarm System is monitored by Alarm Signalling Equipment; however, the location of the equipment is not clearly identified and will be addressed in the proposed fire safety order.
1D	The Emergency Lighting fitting located outside room 207 is damaged.	This has been addressed in the Notice of Intention to Give an Order (NOI).
2. Access and Egress		
2A	Bags of rubbish were located on each landing of the fire-isolated stairs at the rear of the premises, contrary to the requirements of Section 109 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.	At the time of the inspection this was no evident, however, it has been communicated to the operators to remind the cleaning staff and occupants not to store bags of rubbish (for any length of time) on any of the landings of the fire stairs throughout the premises.
2B	The fire-isolated stairway located at the front of the premises does not provide egress directly to a road of open space, contrary to the requirements of Clause D2D12 of the NCC.	This has been addressed in the Notice of Intention to Give an Order (NOI).
2C	The occupiable outdoor area on the roof of the premises is served by 1 exit, which is not within 20 metres of all points of the floor, contrary to the requirements of Clauses G6D4 and D2D5 of the NCC.	This has been addressed in the Notice of Intention to Give an Order (NOI).
2D	The head height within the stair leading to the lower ground level is less than 2 metres, contrary to the requirements of Clause D2D7 of the NCC.	This has been addressed in the Notice of Intention to Give an Order (NOI).

Ref.	Issues identified	City response
2E	The external exit stairs at the rear of the premises are constructed such that the nosing of each tread is hard to distinguish.	This has been addressed in the Notice of Intention to Give an Order (NOI).
3. Compartmentation		
3A	The entry doorways of the sole-occupancy units and other rooms opening to the public corridors were not provided with fire-rated doorsets, contrary to the requirements of Clause C4D12 of the NCC.	This has been addressed in the Notice of Intention to Give an Order (NOI).
3B	The fire-rated doors to the fire-isolated stairway located at the front of the premises are held in the open position. It appears that these doors may be provided with electronic closers that activate on the detection of smoke, however, this could not be confirmed.	This has been addressed in the Notice of Intention to Give an Order (NOI).
3C	The public corridors on each floor are greater than 40 metres in length and are not provided with smoke separation, contrary to the requirements of Clause C3D15 of the NCC.	This has been addressed in the Notice of Intention to Give an Order (NOI).
3D	The fire-isolated stairway located at the rear of the premises contains air conditioning and other service penetrations, contrary to the requirements of C4D10 of the NCC.	This has been addressed in the Notice of Intention to Give an Order (NOI).
4. Generally		
4A	Other Identified Issues – The building appears to have been originally constructed with an open courtyard at its centre, connecting 3 storeys. At some stage, the courtyard has been covered with a large awning and consequently, concerns are raised that this courtyard area may act as an atrium. In this regard, compliance may not be achieved with the relevant requirements of Part G3 of the NCC or the relevant Performance Requirements.	The 'open courtyard'/ lightwell is not substantially enclosed at the top, as it is open on all sides, the "roof" is a parapet which sits approximately two metres above the finishing level of the 'open courtyard'/ lightwell and therefore, does not fit the definition of an atrium under the BCA and no further action is warranted by Council.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

FRNSW Recommendations

FRNSW have made recommendations within their report. FRNSW have made fourteen (14) recommendations within their report. In general, FRNSW have requested that Council:

- a. Inspect and address item no. 1 of this report.
- b. Address any other deficiencies identified on "the premises".

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 *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)
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As a result of site inspections undertaken by a Council investigation officer it was determined that concern for public safety requires the giving of a notice of intention (NOI) for a Fire Safety Order to be issued under Part 2 of Schedule 5 of the Environmental Planning and Assessment Act, 1979 without any further delay.

It is recommended that Council note the exercise of powers by Council's investigation officer, to issue a Notice of Intention to give a Fire Safety Order on 11 September 2023 in accordance with the above Act, prior to the resolution of Council.

The issue of a Notice of Intention to Give an Order (NOI) prior to the resolution of Council, will accelerate the compliance response from building owners in rectifying fire safety deficiencies and will assist to ensure that occupants are not exposed to unnecessary fire safety risks. That the Commissioner of FRNSW be advised of Council's actions and determination.

Referenced/Attached Documents:

1	A copy of the correspondence from FRNSW (2023/457260)
2	A copy of the Notice of Intention to Give an Order (NOI)

Trim Reference: 2023/457260-01

CSM reference No#: 3027671

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File Ref. No: BFS22/4950 (23946)
TRIM Ref. No: D23/64876
Contact: [REDACTED]

2 August 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
'THE VILLAGE'
262 GLEBE POINT ROAD GLEBE ("the premises")**

Fire and Rescue NSW (FRNSW) received correspondence on 24 September 2022 concerning the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- *The building is a backpacker hostel of 3 floors with 20 rooms on each floor around a central corridor. There is a sign saying it's licenced for 150 people.*
- *There are fire doors to the (only) central staircase for guests to use.*
- *None of the fire doors have closers on them and doors are jammed permanently open.*

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 3 July 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:

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 4

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

COMMENTS

The following items were identified during the inspection:

1. Essential Fire Safety Measures
 - 1A. The building has a rise in storeys of 6 and is not provided with a sprinkler system, contrary to the requirements of Clause E1D6 of the NCC.
 - 1B. A number of fire hose reels within the building did not have their nozzles interlocked, contrary to the requirements of Section 5 of AS 2441-2005.
 - 1C. The Automatic Fire Detection and Alarm System is not monitored by Alarm Signalling Equipment, contrary to the requirements of Clause 8 of Specification 20 of the NCC.
 - 1D. The Emergency Lighting fitting located outside room 207 is damaged.
2. Access and Egress
 - 2A. Bags of rubbish were located on each landing of the fire-isolated stairs at the rear of the premises, contrary to the requirements of Section 109 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
 - 2B. The fire-isolated stairway located at the front of the premises does not provide egress directly to a road or open space, contrary to the requirements of Clause D2D12 of the NCC.
 - 2C. The occupiable outdoor area on the roof of the premises is served by 1 exit, which is not within 20 metres of all points of the floor, contrary to the requirements of Clauses G6D4 and D2D5 of the NCC.
 - 2D. The head height within the stair leading to the lower ground level is less than 2 metres, contrary to the requirements of Clause D2D7 of the NCC.

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- 2E. The external exit stairs at the rear of the premises are constructed such that the nosing of each tread is hard to distinguish.
3. Compartmentation
- 3A. The entry doorways of the sole-occupancy units and other rooms opening to the public corridors were not provided with fire-rated doorsets, contrary to the requirements of Clause C4D12 of the NCC.
- 3B. The fire-rated doors to the fire-isolated stairway located at the front of the premises are held in the open position. It appears that these doors may be provided with electronic closers that activate on the detection of smoke, however, this could not be confirmed.
- 3C. The public corridors on each floor are greater than 40 metres in length and are not provided with smoke separation, contrary to the requirements of Clause C3D15 of the NCC.
- 3D. The fire-isolated stairway located at the rear of the premises contains air conditioning and other service penetrations, contrary to the requirements of C4D10 of the NCC.
4. Generally
- 4A. Other Identified Issues – The building appears to have been originally constructed with an open courtyard at its centre, connecting 3 storeys. At some stage, the courtyard has been covered with a large awning and consequently, concerns are raised that this courtyard area may act as an atrium. In this regard, compliance may not be achieved with the relevant requirements of Part G3 of the NCC or the relevant Performance Requirements.

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

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Review items 1 to 4 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.

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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 BFS22/4950 (23946) regarding any correspondence concerning this matter.

Yours faithfully

[REDACTED]

[REDACTED]

Fire Safety Compliance Unit