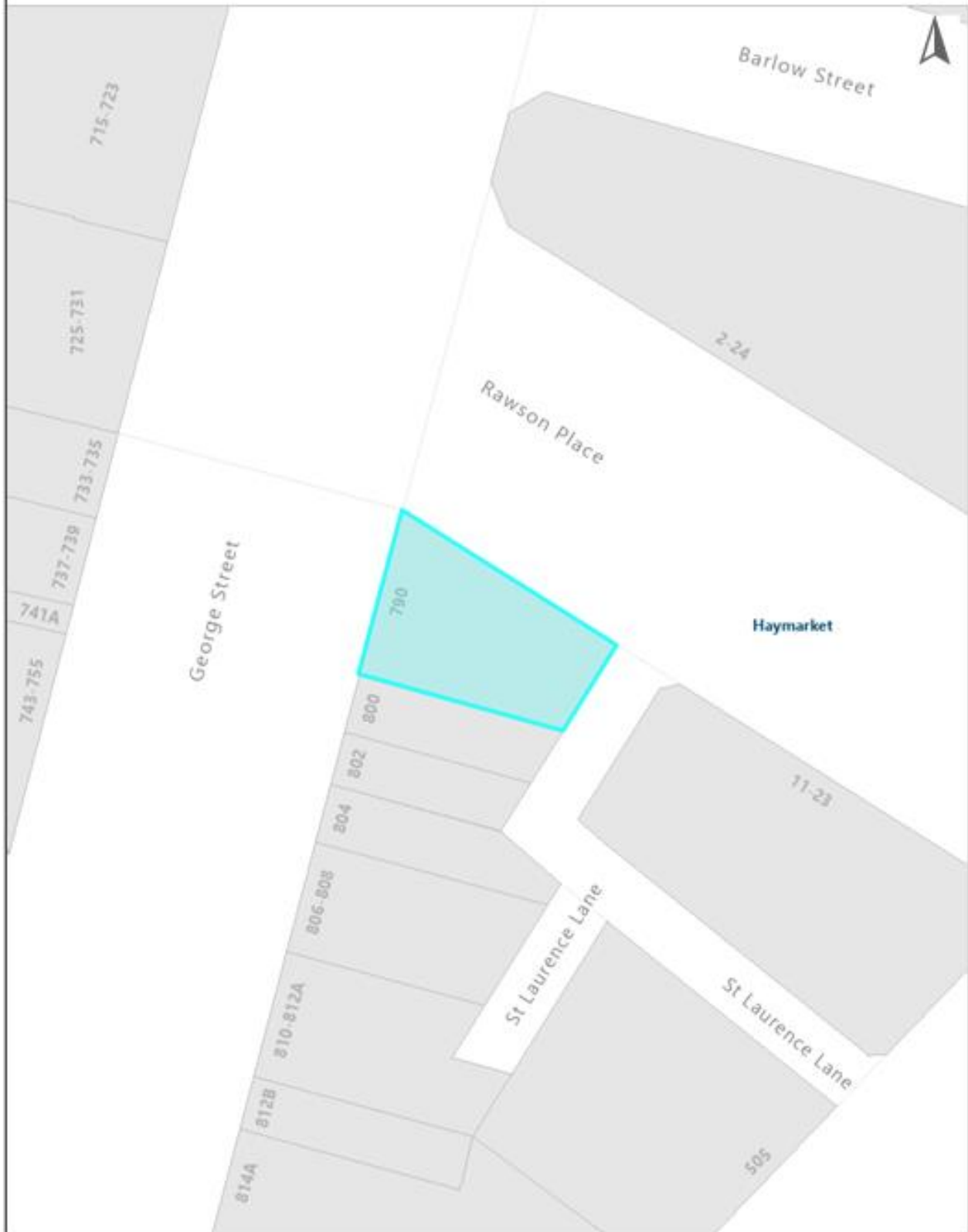


Attachment G

**Inspection Report
790 George Street Haymarket**

Locality Plan



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Notes
790 George Street Haymarket

17/10/2023

**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 3056185

Officer: B. Badyari

Date: 17 October 2023

Premises: 790 George Street Haymarket

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) on 25 September 2023 in relation to the premises with respect to matters of fire safety at 790 George Street Haymarket.

The premises is located on the corner of George Street and Rawson Place, Haymarket, and contains an eight-storey mixed commercial building, with ground floor retail and residential hotel rooms above.

An inspection of the premises undertaken by a Council investigation officer in the presence of the building manager, revealed 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 overdue, and the most recent fire safety statement is prominently displayed within the foyers of the building.

Following a number of issues with the building's submitted Annual Fire Safety Statement, Council had inspected the building and issued a Fire Safety Order on 26 July 2023 which required a fire safety audit of all required fire safety measures as referenced on the Fire Safety Schedule and a Final Fire Safety Certificate.

Inspections carried out on 4 October 2023 revealed that the fire safety measures have been maintained and owner is in the process of carrying out further maintenance works to rectify the issues raised in FRNSW report and Council's Fire Safety Order.

It is considered that the above fire safety works are of a degree which will be addressed through Fire Safety Order issued on 26 July 2023.

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
26/07/2023	Council NOI issued.
25/09/2023	FRNSW correspondence received relating to fire safety at the premises
25/09/2023	A review of City records showed: -The fire safety schedule for the premises contains twenty-one fire safety measures, including an automatic smoke detection and alarm system, automatic fire suppression system, and a building occupant warning system -A fire safety statement dated 23/02/2023 has been provided. -Enforcement action is in process and has resulted in a Fire Safety Order being served on the building owner and a penalty notice
3/10/2023	A copy of issues raised by FRNSW provided to the owner in relation to required maintenance of fire safety measures

Date	Event
10/10/2023	--Met with building manager and fire consultant and discussed fire safety issues -Inspected premises, noting that whilst certain items in the Fire Safety Order are complete, there is evidence that maintenance of some fire safety measures is incomplete, including outstanding Audit report and Final Fire Safety Certificate -The building manager advised that a related scoping report/quote from the fire safety practitioner to repair the fire safety measures has been obtained, accepted, and that the recommendations in the report are in various stages of being carried out to complete required maintenance to fire safety measures and to enable issue of a current final Fire Safety Certificate

FIRE AND RESCUE NSW REPORT:

References: [BFS23/1199; 2023/554470]

Fire and Rescue NSW conducted an inspection of the subject premises after receiving correspondence alleging fire safety issues at the premises.

Issues

The report from FRNSW detailed the following issues:

Ref.	Issue	City response
Essential Fire Safety Measures		
1A Fire Hydrant System		
A	Test and boost pressure signage has not been provided at the booster assembly contrary to Clause 7.10 of AS 2419.1-2005 requirements.	All hydrant matters raised are addressed under the NOI dated 26 July 2023, requiring maintenance of this item. Once issued, the Order will be subject to further inspection/s to ensure compliance.
B	The block plan provided at the booster assembly does not comply with the requirements of Clause 7.11 of AS 2419.1-2005.	
C	The booster assembly pipe supports installed within the enclosure are positioned in a way that may impede the ability of an attending fire-fighting crew to connect hoses to the hydrant valve outlets, contrary to the accessibility requirements of Clause 3.5.1 of AS2419.1 – 2005.	
D	Clearances to hydrant valve handwheel and hydrant valve outlets within the booster assembly enclosure have not been provided contrary to the requirements of 3.5.2 of AS 2419.1-2005.	
E	An opening in the rear wall of the hydrant booster enclosure has not been protected, contrary to the requirements of Clause 7.3 of AS 2419.1 – 2005.	
1B Automatic Fire Sprinkler System		
A	A block plan has not been provided adjacent to the sprinkler control assemblies, contrary to Clause 8.3 of AS 2118.1 – 1999 requirements.	All matters relating to the sprinkler system raised are addressed under the NOI dated 26 July 2023, requiring maintenance of this item. Once issued, the Order will be subject to further inspection/s to ensure compliance.
B	The block plan provided at the booster assembly does not comply with the requirements of Clause 8.3 of AS 2118.1 – 1999.	
C	Signage indicating the maximum allowable inlet pressure has not been provided at the sprinkler booster connection contrary to the requirements of Clause 4.4.3 of AS 2118.1 – 1999.	

Ref.	Issue	City response
2	Generally	
2A	Investigation Outcomes	
A	During the inspection, the building manager relayed his concerns regarding the incasement of the underground stop valve along Rawson Place.	This matter is addressed under the NOI dated 26 July 2023. Once issued, the Order will be subject to further inspection/s to ensure compliance.
B	The manager advised that the light rail construction resulted in the casement of the stop valve, proceeding to remove the stop valve cover to reveal concrete where the stop valve would typically locate.	This matter is addressed under the NOI dated 26 July 2023. Once issued, the Order will be subject to further inspection/s to ensure compliance.
C	The manager advised that the service technician indicated that testing the system was difficult. Suggesting that there was water available if there was a fire. However, it would be difficult to shut the water off.	This matter is addressed under the NOI dated 26 July 2023. Once issued, the Order will be subject to further inspection/s to ensure compliance.
2B	Items for Further Investigation	
A	Given the complexities surrounding any changes to the approved essential fire safety measures and ongoing certification, the Council may wish to investigate the matter to determine a suitable course of action, as this may result in further building work.	This matter is addressed under the NOI dated 26 July 2023. Once issued, the Order will be subject to further inspection/s to ensure compliance.
B	The Council should note that FRNSW referred this concern to Sydney Water for consideration, and further discussions may need to be conducted by all relevant stakeholders concerning building work and certification.	Council contacted Sydney Water; matter resolved.

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 to:

1. Review the report
2. Address any other deficiencies identified at 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)
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Recent inspections by Council’s Officer show fire safety measures are being maintained and further maintenance works to rectify the issues identified in the FRNSW report and Council’s Fire Safety Order are progressing in a reasonable timeframe.

Therefore, it is recommended staff continue with compliance action under the current Fire Safety Order issued on 26 July 2023. No further Order is required at this time..

Referenced/Attached Documents:

2023/554470	Fire & Rescue NSW letter dated 22 September 2023
2023/376759	Current Fire Safety Order dated 26 July 2023

Trim Reference: 2023/554470-07

CSM reference No: 3056185

OFFICIAL



File Ref. No: BFS23/1199 (26883)
TRIM Ref. No: D23/89351
Contact: [REDACTED]

22 September 2023

General Manager
City of Sydney
GPO Box 1591
SYDNEY NSW 2001

Email: council@cityofsydney.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT
'790 ON GEORGE – BACKPACKERS'
790 GEORGE STREET HAYMARKET (hereafter "the premises")**

Fire & Rescue NSW (FRNSW) received correspondence on 9 March 2023 concerning the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

Building has had AFSS completed recently, and it has been noted that the SV valves (stop valves for the buildings internal hydrants) have concrete/covered at the bottom. Appears to be from light rail works. The buildings internal hydrants are achieving flow and pressure and is not reliant on street hydrants, however water cannot be shut off for maintenance or in an emergency. City of Sydney has been out to inspect and suggested to refer it to FRNSW. It has previously been reported to Sydney Water.

Pursuant to the provisions of 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 Fire and Rescue NSW (FRNSW) inspected 'the premises' on 4 September 2023. On behalf of the Commissioner of FRNSW, the comments in this report are provided under Section 9.32(4).

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

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Community Safety Directorate
Fire Safety Compliance Unit

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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. Essential Fire Safety Measures
 - 1A. Fire Hydrant System
 - A. Test and boost pressure signage has not been provided at the booster assembly contrary to Clause 7.10 of AS 2419.1-2005 requirements.
 - B. The block plan provided at the booster assembly does not comply with the requirements of Clause 7.11 of AS 2419.1-2005.
 - C. The booster assembly pipe supports installed within the enclosure are positioned in a way that may impede the ability of an attending fire-fighting crew to connect hoses to the hydrant valve outlets, contrary to the accessibility requirements of Clause 3.5.1 of AS2419.1 – 2005.
 - D. Clearances to hydrant valve handwheel and hydrant valve outlets within the booster assembly enclosure have not been provided contrary to the requirements of 3.5.2 of AS 2419.1-2005.
 - E. An opening in the rear wall of the hydrant booster enclosure has not been protected, contrary to the requirements of Clause 7.3 of AS 2419.1 – 2005.
 - 1B. Automatic Fire Sprinkler System
 - A. A block plan has not been provided adjacent to the sprinkler control assemblies, contrary to Clause 8.3 of AS 2118.1 – 1999 requirements.
 - B. The block plan provided at the booster assembly does not comply with the requirements of Clause 8.3 of AS 2118.1 – 1999.

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- C. Signage indicating the maximum allowable inlet pressure has not been provided at the sprinkler booster connection contrary to the requirements of Clause 4.4.3 of AS 2118.1 – 1999.

2. Generally

- 2A. Investigation Outcomes – The following items are provided to Council as part of the investigation on Monday, 4 September 2023:

- A. During the inspection, the building manager relayed his concerns regarding the incasement of the underground stop valve along Rawson Place.
- B. The manager advised that the light rail construction resulted in the casement of the stop valve, proceeding to remove the stop valve cover to reveal concrete where the stop valve would typically located.
- C. The manager advised that the service technician indicated that testing the system was difficult. Suggesting that there was water available if there was a fire. However, it would be difficult to shut the water off.

- 2B. Items for Further Investigation – The Council may require an investigation as the appropriate regulatory authority as a result of the following:

- A. Given the complexities surrounding any changes to the approved essential fire safety measures and ongoing certification, the Council may wish to investigate the matter to determine a suitable course of action, as this may result in further building work.
- B. The Council should note that FRNSW referred this concern to Sydney Water for consideration, and further discussions may need to be conducted by all relevant stakeholders concerning building work and certification.

Please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call [REDACTED] if you have any questions or concerns regarding the above matters. Please refer to file reference BFS23/1199 (26883) for future correspondence.

Yours faithfully

[REDACTED]

[REDACTED]
Fire Safety Compliance Unit