

Attachment B

**Inspection Report
151-241 Goulburn Street, Surry Hills**

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CITY OF SYDNEY



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Notes

28/09/2023

**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 3049048

Officer: G. Scotton

Date: 3 October 2023

Premises: 151-241 Goulburn Street, Surry Hills

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) on 8 September 2023 in relation to the premises with respect to matters of fire safety.

The premises contains a five-storey building used as Sydney Police Centre, which includes offices and command operations, located bounded by Goulburn Street, Riley Street, and Brisbane Street (adjoining Harmony Park).

An inspection of the premises undertaken by a Council investigation officer in the presence of the fire safety practitioner, revealed 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 displayed within the building.

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

Chronology:

Date	Event
08/09/2023	FRNSW correspondence received concerning correspondence dated 14/09/2022 relating to fire safety at the premises
05/07/2023	A review of records showed: -The fire safety schedule for the premises contains twenty-one fire safety measures, including: an automatic fire detection and alarm system, automatic fire suppression system, emergency warning and intercommunication system, a fire control centre, and a smoke control system. -A current fire safety statement dated 15/05/2023 provided for the premises.
28/09/2023	-Teams meeting held between a Council officer and owner representatives, when the issues were discussed, details of which are included in the issues table in this report.
03/10/2023	-Inspection of premises revealed: -Fire safety measures contained in the fire safety schedule appeared adequately maintained. -Fire doors were self-closing, latching, and were not chocked open. -Paths of travel to exits, and exits were unobstructed, and required warning notices in place.

FIRE AND RESCUE NSW REPORT:

References: [BFS22/4779; 2023/531474-06]

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:

Issue	City response
1. Fitness room filled with weights/rubbish	-Inspection revealed issue resolved -No action required
2. Fire doors chocked open	-Inspection revealed issue resolved -No action required
3. -Review records, determine whether investigation required; -Gym undergoing renovation, unsure as to whether approval is required.	-Records do not indicate recent approvals for the area in question -The owner representatives advised: -It is proposed shortly to carry out internal updates of a cosmetic nature which do not require approval (e.g., floor finishes) -It is proposed at a later stage to carry out some internal renovations to the gymnasium area, the proposal is being currently scoped, which will obtain any approvals required -Inspection confirmed work is not being carried out to the area -No action required
4. Fire safety statement required	-Fire safety statement provided dated 15/05/2023, in which fire exits, paths of travel to exits, and fire safety measures certified as compliant (dated after the letter of complaint to FRNSW) -The fire safety practitioner advised that he uploaded a copy of the fire safety statement to the Fire & Rescue NSW website, which is a requirement of Fire & Rescue NSW -No action required

FRNSW Recommendations

The officer of Fire & Rescue NSW has made no specific recommendations within his report other than for Council to determine whether an investigation is required, based on determinations of items 3 and 4. in the issues table above.

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)

It is recommended that Council not exercise its powers to give an Order at this time, as the issues raised by FRNSW have been resolved, fire safety measures are being maintained, a fire safety statement has been provided, and no offences have been detected under the Act.

That the Commissioner of FRNSW be advised of Council's actions and determination.

Referenced/Attached Documents:

2023/531474-06	Fire & Rescue NSW letter dated 8 September 2023
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Trim Reference: 2023/531474-08

CSM reference No: 3049048

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File Ref. No: BFS22/4779 (23775)
TRIM Ref. No: D23/86232
Contact: [REDACTED]

8 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
'NSW SYDNEY POLICE CENTRE'
151-241 GOULBURN STREET SURRY HILLS (hereafter "the premises")**

Fire & Rescue NSW (FRNSW) received correspondence on 14 September 2022 concerning the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

*The area near the Building Fitness Room is filled with weights and other rubbish.
Fire Doors are chocked open*

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 28 August 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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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. Access and Egress
 - 1A. Fire Exits and Fire Exit Doors – Regulation 109 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021) requires a fire exit area for a building to be free of items that may obstruct the free passage of persons. Nor should the operation of a fire exit door be interfered with or obstructed without a lawful excuse, which includes the operation of a fire door providing access to a building's fire exit. The Council may need to consider reviewing its records to confirm whether an investigation is required as an inspection of the exit doors within the gym area of the premises could not locate a fire exit area or the operation of a fire exit door that was interfered with, impeded or obstructed.
2. Generally
 - 2A. Investigation Outcomes – The following items are provided to the Council as part of the investigation on Monday, 28 August 2023, to determine whether the Council conducts an investigation:
 - A. The building maintenance officer advised that the gym area is undergoing renovations. Based on the discussions, it is unclear what approvals (if any) are required.
 - B. The Council uses its discretion to confirm that the owners maintain the essential fire safety systems and meet the local Council's obligations to regulate the development consent approval.
 - C. The Council uses its discretion to confirm that an accredited practitioner (fire safety) has assessed, inspected and verified the performance of each fire safety measure (including exits) that applies to the building. Furthermore, the owner submits an Annual Fire Safety Statement (AFSS) as part of their obligations under 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 you have any questions or concerns regarding the above matters. Please refer to file reference BFS22/4779 (23775) concerning this correspondence.

Yours faithfully

[REDACTED]

[REDACTED]

Fire Safety Compliance Unit