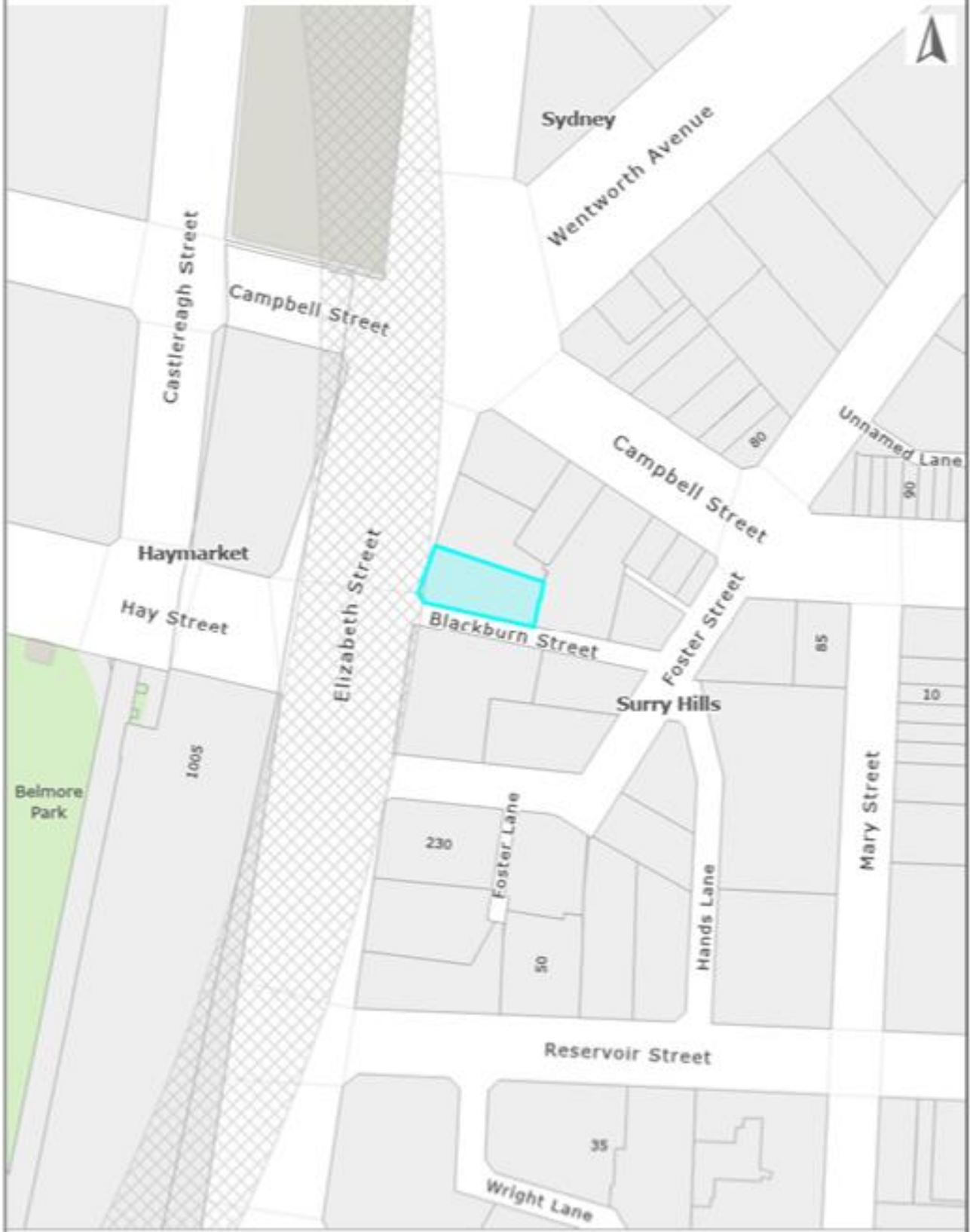


Attachment H

**Inspection Report
212-214 Elizabeth Street, Surry Hills**

212-214 Elizabeth Street, Surry Hills



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Notes

3042004

**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 3153981

Officer: G. Scotton

Date: 2 April 2024

Premises: 212-214 Elizabeth Street, Surry Hills

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) on 8 March 2024 in relation to the premises with respect to matters of fire safety.

The premises contains a four (4) storey building located on the corner of Elizabeth Street and Blackburn Streets, Surry Hills, and is known as Big Hostel. The building hostel uses include a basement services level, ground floor reception/kitchen/dining rooms, and 1st/2nd/mezzanine upper accommodation levels.

An inspection of the premises undertaken by a Council investigation officer in the presence of the building manager, 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 is displayed within the building.

Observation of the external features of the building did not identify combustible cladding.

Chronology:

Date	Event
6/3/2024	FRNSW correspondence dated 28/2/2024 received concerning correspondence relating to fire safety at the premises referred to as 212 Elizabeth Street, Surry Hills
2/4/2024	A review of City records showed: -The premises is identified in records as 212-214 Elizabeth Street, Surry Hills -The fire safety schedule for the premises contains thirteen fire safety measures, including: an automatic fire detection and alarm system, hose reels, fire doors and fire extinguishers -The backpackers premises is included in the City's proactive shared accommodation inspection program -A current fire safety statement dated 20/09/2023 has been provided for the premises
2/4/2024	-Alleged fire safety Issues were advised to the owner and manager of the premises
2/4/2024	-Inspection of the premises revealed: -Fire safety measures contained in the fire safety schedule appeared generally adequately maintained -Fire exit doors were neither obstructed or locked -Fire exit doors were readily openable by a panic bolt or single hand action device -No difficulty was encountered opening fire exit doors

FIRE AND RESCUE NSW REPORT:

References: [BFS23/6122; 2024/166288-05]

Fire and Rescue NSW conducted an inspection of the subject premises after receiving a concern in writing alleging obstruction of an exit in Blackburn Street, Surry Hills.

Issues

The report from FRNSW detailed the following issues:

Issue	City response
1. The fire detection and alarm system disabled relating to room 205	-Fire indicator panel and alarm signalling equipment were neither disabled nor in fault during inspection -Most recent maintenance log-book on site showed no issues with fire alarm or building occupant warning system during inspection
2. Fire hydrant booster not locked in the open position	-The fire hydrant booster was noted as not locked in the open position during inspection -The fire hydrant booster is contained within a locked enclosure -The building manager advised he has referred item to his fire safety practitioner for resolution
3. Fire hydrant booster boost and test pressure signage missing	-Fire hydrant booster noted as not having boost and test pressure signage, however this was not a requirement at the time of installation -The building manager advised he has referred item to his fire safety practitioner for resolution
4. Fire hydrant booster maintenance date tag outdated	- Fire hydrant booster maintenance date tag noted as outdated during inspection -Other maintenance tags in the building are up to date -The building manager advised he has referred item to his fire safety practitioner for resolution -Fire safety statement certifies maintenance of this measure -No action required on this item
5. Maintenance logbooks not available onsite for the fire hydrant pump set	-Fire hydrant maintenance log-book located during inspection at the fire indicator panel -Manager was advised to relocate the log book to the fire hydrant pump room -No action required on this item
6. Doorways to a shared bathroom and to an accessible toilet not fire-rated	-The issue is a technical non-compliance with the National Construction Code -The rooms referred to have a low/very low fire load -The issue is not considered to represent a significant risk to life safety, prerequisite to service of a Notice of intended fire safety Order -No action required on this item
7. Exit door width from fire isolated stairways non-compliant	-This item relates to two exit doors, one to Elizabeth Street and the other to Blackburn Street -Each of the exit doors, which both swing outwards, has bifold metal doors fitted on the outside of the exit doors, to each alcove -Each of the exit doors is operable by way of panic bar or similar -Neither of the exit doors or doors in the path of travel were locked or obstructed -No difficulty was encountered in opening the exit door -No action required on this item

FRNSW Recommendations

The officer of Fire & Rescue NSW recommended that Council review the items in his report, that Council conduct an inspection, and 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)

It is recommended that Council not exercise its powers to give an Order at this time.

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

Referenced/Attached Documents:

2024/166288-05	Fire & Rescue NSW letter dated 28/2/2024
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Trim reference no.: 2024/166288-04

CSM reference no: 3153981

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File Ref. No: BFS23/6122 (31560)
TRIM Ref. No: D24/024842
Contact: Ryan Maestri

28 February 2024

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
BIG HOSTEL
212 ELIZABETH STREET, SURRY HILLS (“the premises”)**

Fire and Rescue NSW (FRNSW) received correspondence on 23 February 2024 concerning the adequacy of the provision for fire safety in connection with ‘the premises’.

The correspondence stated that:

- *Patrons of the Big Hostel use the fire exit in Blackburn street as an after hours entry and exit, often blocking the access to the door.*

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 21 February 2024.

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

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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

In relation to the subject of the concern, there was no evidence of any exits being blocked by any persons at the time of the inspection. Notwithstanding this, the building manager was spoken to about the importance of keeping exits clear at all times.

The following items were identified during the inspection:

1. Essential Fire Safety Measures

1A. Automatic Fire Detection and Alarm System

- A. The Fire Detection Control and Indicating Equipment (FDCIE) indicated one disablement relating to the automatic fire detection and alarm system. In this regard, the concealed space smoke detector in room 205 had been disabled. The building manager advised that this was due to a fault with the detector.

1B. Fire Hydrant System

According to the Annual Fire Safety Statement for the premises, the fire hydrant system has been installed in accordance with Australian Standard (AS) 2419.1-1994. Notwithstanding this, the following deviations from AS2419.1-2021 have been identified, which are of concern to FRNSW:

- A. The isolation valve at the fire hydrant booster located between the feed hydrants and boost inlets was not locked in the open position, contrary to the requirements of Clause 8.7.1 of AS 2419.1-2021.
- B. Signage indicating the test pressure was not located at the fire hydrant booster, contrary to the requirements of Clause 11.3.4.1 of AS 2419.1-2021.
- C. Signage indicating the boost pressure for the hydrant system was not provided at the fire hydrant booster assembly, contrary to the requirements of Clause 11.3.4.2 of AS 2419.1-2021.

2. Compartmentation and Separation

- 2A. The entrance doorway to the accessible bathroom located on level 1 did not incorporate a fire-rated doorset, contrary to the requirements of Clause C4D12 of the NCC.
- 2B. The entrance doorway to the toilets on level 2 did not incorporate a fire-rated doorset, contrary to the requirements of Clause C4D12 of the NCC.

3. Egress

- 3A. The final doorway leading from both fire-isolated stairs discharging to Elizabeth Street and Blackburn Street did not comply with the intent of Clause D2D9 of the NCC. In this regard, the full width of the doorway is obstructed by 2 separate door leaves approximately 500 mm in width – significantly less than the minimum unobstructed width of 750 mm as per Clause D2D9. This arrangement is also considered to be an obstruction that restricts the free passage of persons, being an offence under Section 109 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

4. Maintenance

- 4A. The fire hydrant booster assembly was tagged as having been last maintained in December 2022, contrary to the requirements of Clause 4.4 of AS 1851-2012.
- 4B. Maintenance logbooks were not available on site for the fire hydrant pumpset. It is therefore unknown whether regular maintenance of the pumpset is being undertaken.

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

WORKS UNDERTAKEN

In consultation with the building manager, works were undertaken in relation to item 1A above. In this regard, Council is not presently required to act on item 1A of this report.

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Review items 1 (excluding item 1A) 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 Ryan Maestri of FRNSW's Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call (02) 9742 7434 if there are any questions or concerns about the above matters. Please refer to file reference BFS23/6122 (31560) regarding any correspondence concerning this matter.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Maestri', is positioned above the typed name.

Ryan Maestri
Senior Building Surveyor
Fire Safety Compliance Unit