

Attachment C

**Inspection Report
10-14 Hunter Street, Sydney**



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Notes

7/11/2024

**City of Sydney 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 3147576

Officer: Andrew Manning

Date: 7/11/2024

Premises: 10-14 Hunter Street, Sydney

Executive summary:

The City of Sydney (the City) received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on 20 August 2024 with respect to matters of fire safety.

The premises consists of a seven-storey building with the approved uses being; a bar located within the basement level, a retail tenancy and a restaurant within the ground floor, with all other storeys being office space.

An inspection of the premises undertaken by the City's investigation officer in the presence of the building manager which 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.

City investigations have revealed that whilst there remains several minor fire safety "maintenance and management" works to attend to in relation to adequate signage and maintain clear paths of travel to an exit, the overall fire safety systems provided within the subject premises are considered adequate in the circumstances.

It is considered that the above fire safety works are of a degree which can be addressed by routine preventative and corrective maintenance actions undertaken by the owner's fire service contractors through written instruction from the City.

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

Chronology

Date	Event
02/08/2024	FRNSW correspondence received regarding premises Zaffi Sydney, 10 -14 Hunter Street Sydney.
26/08/2024	Desktop review was undertaken to understand the nature of the relevant fire safety measures, with the Principal Certifier involved in the development being engaged with to determine the relevant standards of performance for the measures.
03/09/2024	An initial inspection of the subject premises was undertaken by a City officer of the external and publicly accessible areas – no major issues were visible on site.
16/10/2024	Inspection of the premises undertaken with the building manager. A number of items were noted as requiring further investigation, with further advice being sort from the Principal Certifier to verify how the building was assessed as complying with the BCA. Additional minor items were noted around adequate signage and maintenance requirements.
28/10/2024	Follow up inspection undertaken with building manager to confirm advice received from Principal Certifier.
7/11/2024	Corrective action letter sent allowing ninety days to complete all outstanding work.

Fire and Rescue NSW report

References: FRN24/2210 - BFS24/4352 – 8000036774; the City TRIM Ref 2024/482720

Fire and Rescue NSW conducted an inspection of the subject premises after receiving correspondence concerning the adequate provision for fire safety in connection with the premises.

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

Ref.	Issue	City response
1. Compartmentation and Separation		
1A.	The fire rated door providing access from the basement level to the fire-isolate passage / stairway did not self-close when fully opened, contrary to the requirements of Clause C4D9 of the National Construction Code 2022 (NCC) and Clause 2.1.3 of AS 1905.1-2015.	Item addressed on site – restrictor removed from all fire doors. No further action required.
2. Egress		
2A.	The cupboard located on the basement level, housing the sprinkler control valves, was not provided with a fire-rated doorset despite being located under a stairway. Should Council determine that this stairway is a required stairway, as defined in the NCC, it is considered that the enclosure should be fire -separated in accordance with the requirements of Clause D3D9 of the NCC (including the provision of the fire-rated doorset)	Advice received from Principle certifier confirming the item was assessed as complying with the requirements of the BCA No further action required.
3. Services and Equipment		
3A.	Automatic Fire Suppression System (Sprinkler) <ul style="list-style-type: none"> i. The sprinkler booster assembly was not provided with signage indicating the maximum allowable inlet pressure, contrary to the requirements of Clause 4.14.1 of AS 2118.1-2017. ii. A spanner for the replacement of the sprinkler heads was not provided on the premises, contrary to the requirements of Clause 6.7 of AS 2118.1-2017. 	<ul style="list-style-type: none"> i. Action required under Item 1 of Corrective Action Letter ii. Action required under Item 2 of Corrective Action Letter

Ref.	Issue	City response
	iii. An isolation valve is not provided immediately downstream of the fire sprinkler boost inlets, contrary to the requirements of Clause 4.14 of AS 2118.1-2017 and Clause 7.4 of AS 2419.1-2005.	iii. Action required under Item 5 of Corrective Action Letter
3B.	<p>Fire Hydrant System</p> <p>A. 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.</p> <p>B. Signage indicating the test pressure was not located at the fire hydrant booster assembly, contrary to the requirements of Clause 11.3.4.1 of AS 2419.1-2021.</p> <p>C. An isolation valve is not provided immediately downstream of the fire hydrant boost inlets, contrary to the requirements of Clause 7.4 of AS 2419.1-2005.</p> <p>D. The fire hydrant block plan provided at the fire hydrant booster assembly incorrectly indicates that an attack fire hydrant is present within the fire-isolated passageway on the basement level, contrary to the requirements of Clause 11.5 of AS 2419.1-2021. Further, additional signage adjacent to the exit door discharging to Curtin Place also incorrectly indicates that an attack fire hydrant is present in the same location.</p>	<p>A. Action required under Item 4 of Corrective Action Letter</p> <p>B. Action required under Item 4 of Corrective Action Letter</p> <p>C. Action required under Item 5 of Corrective Action Letter</p> <p>D. Item addressed on site – No further action required.</p>
4. Maintenance		
4A.	An up-to-date maintenance logbook was not provided on the premises for the sprinkler system, contrary to the requirements of Clause 1.16.2 of AS 1851-2012. It is therefore unknown whether the sprinkler system is being regularly maintained in a state that will enable it to perform to the required standard of performance	Action required under Item 3 of Corrective Action Letter

FRNSW Recommendations

FRNSW recommended that the City inspect and address any other deficiencies identified on the premises and require item numbers 1 to 4 of their report to be appropriately addressed.

Officer recommendations

Issue Order	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 the above site inspection undertaken by the City's investigation officers it is recommended that the owners of the building continue to comply with the written fire safety compliance instructions as issued by the City's officers to rectify the identified fire safety deficiencies noted by FRNSW.

The above correspondence instructs the building owners/management to:

1. Install appropriate signage at sprinkler booster assembly to indicate maximum allowable inlet pressure as required by Clause 4.14.1 of AS 2118.1 – 2017.
2. Ensure a spanner for the replacement of the sprinkler heads is provided on the premises, as required by of Clause 6.7 of AS 2118.1-2017
3. Ensure up-to-date maintenance logbook are provided on the premises for the sprinkler system as required by Clause 1.16.2 of AS 1851 – 2012
4. Install appropriate signage at hydrant booster assembly indicating the boost and test pressure for the hydrant system as required by Clause 11.3.4.1 and 11.3.4.2 of AS 2419.1-2021.
5. Ensure an isolation valve is provided immediately downstream of the fire hydrant boost inlets as required by Clause 7.4 of AS 2419.1-2005.
6. Ensure the fire-isolated stairwell serving the building is kept clear of all items and appropriate signage is installed to indicate storage of any item is prohibited within the stair well
7. Repair the penetration within the lightweight construction (plaster board ceiling) located on the basement level within the fire isolated exit
8. Ensure the passive fire separation is reinstated within the ground floor Electronic Distribution Board (EDB)

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

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File Ref. No: FRN24/2210 - BFS24/4352 - 8000036774
Doc Ref. No: D24/94912
Contact: Ryan Maestri

20 August 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
ZAFFI SYDNEY
10 HUNTER STREET, SYDNEY ("the premises")**

Fire and Rescue NSW (FRNSW) received correspondence on 15 July 2024 concerning the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- *Attended AFA, Fire hose reels blocked and exits blocked with furniture and boxes. electrical room next to bar full with over loaded powerboards and clothes hanging on sprinklers. no signage. Contacted owner and manager to rectify*

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 24 July 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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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

At the time of the inspection, it was identified that the issues raised in the correspondence had been rectified.

Additionally, the following items were identified during the inspection:

1. Compartmentation and Separation
 - 1A. The fire rated door providing access from the basement level to the fire-isolate passage / stairway did not self-close when fully opened, contrary to the requirements of Clause C4D9 of the National Construction Code 2022 (NCC) and Clause 2.1.3 of AS 1905.1-2015.
2. Egress
 - 2A. The cupboard located on the basement level, housing the sprinkler control valves, was not provided with a fire-rated doorset despite being located under a stairway. Should Council determine that this stairway is a required stairway, as defined in the NCC, it is considered that the enclosure should be fire-separated in accordance with the requirements of Clause D3D9 of the NCC (including the provision of the fire-rated doorset).
3. Services and Equipment
 - 3A. Automatic Fire Suppression System (Sprinkler)
 - i. The sprinkler booster assembly was not provided with signage indicating the maximum allowable inlet pressure, contrary to the requirements of Clause 4.14.1 of AS 2118.1-2017.
 - ii. A spanner for the replacement of the sprinkler heads was not provided on the premises, contrary to the requirements of Clause 6.7 of AS 2118.1-2017.
 - iii. An isolation valve is not provided immediately downstream of the fire sprinkler boost inlets, contrary to the requirements of Clause 4.14 of AS 2118.1-2017 and Clause 7.4 of AS 2419.1-2005.
 - 3B. Fire Hydrant System
 - A. 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.
 - B. Signage indicating the test pressure was not located at the fire hydrant booster assembly, contrary to the requirements of Clause 11.3.4.1 of AS 2419.1-2021.

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- C. An isolation valve is not provided immediately downstream of the fire hydrant boost inlets, contrary to the requirements of Clause 7.4 of AS 2419.1-2005.
 - D. The fire hydrant block plan provided at the fire hydrant booster assembly incorrectly indicates that an attack fire hydrant is present within the fire-isolated passageway on the basement level, contrary to the requirements of Clause 11.5 of AS 2419.1-2021. Further, additional signage adjacent to the exit door discharging to Curtin Place also incorrectly indicates that an attack fire hydrant is present in the same location.
4. Maintenance
- 4A. An up-to-date maintenance logbook was not provided on the premises for the sprinkler system, contrary to the requirements of Clause 1.16.2 of AS 1851-2012. It is therefore unknown whether the sprinkler system is being regularly maintained in a state that will enable it to perform to the required standard of performance.

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.

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 FRN24/2210 - BFS24/4352 - 8000036774 regarding any correspondence concerning this matter.

Yours faithfully



Ryan Maestri
Senior Building Surveyor
Fire Safety Compliance Unit