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28 June 2019

Re: Notice of Exhibition - Modification Application - Crown Sydney Hotel Resort (SSD 6957 MOD 1)

We are writing in reference to the correspondence received from your Department on 12 June 2019 notifying Fire and Rescue NSW (FRNSW) of the Notice of Exhibition pertaining to a Modification Application to the current Development Consent for Crown Sydney Hotel Resort (SSD 6957 MOD 1).

In relation to the changes proposed with the Modification Application to the current Development Consent FRNSW understand that they comprise:

- Reconfiguration of the internal layout of the hotel, retail and tourism uses
- Reconfiguration of internal apartment layouts,;
- Amended fire stair configuration descending from upper floors to Ground Floor;
- Reconfiguration of the basement car park;
- Minor design modifications to the ground level including the porte-cochere, outdoor dining areas and ground level landscaping;
- Reconfiguration to the terrace layouts on Levels 3, 4 and 24; and
- Addition of an observation deck for the public within Level 66 of the building.

In making comment to this notification FRNSW have reviewed the following documents:

- The Section 4.55(2) Modification Application prepared by Ethos Urban dated 24 May 2019.

Background

On the 24 August 2015 FRNSW made a submission (FRNSW Doc. No. D15/65399) to The Department of Planning and the Environment (The Department) regarding the Environmental Impact Statement for the Crown Tower development at Barangaroo.

On the 28 June 2016 the Planning Assessment Commission (The Commission) published a Determination Report *Determination of Crown Sydney Hotel Resort Barangaroo South* (SSD 6957). In response to FRNSW concerns, detailed in the aforementioned submission, The Commission in its determination made specific reference to FRNSW in Clause 6.6.2. In part this clause states—

The Commission notes that the concern raised by FRNSW is a wider policy issue and needs to be resolved by the Australian Building Codes Board. Nonetheless, fire control and Fire and Rescue NSW's capacity to respond to a fire in the building are of concern. Consequently, the Commission has adopted the following condition to ensure that the issues raised by FRNSW are resolved through the development of fire and safety plans for the building. The Commission raised the wider policy issue with the Department and the Department supports the approach proposed with the condition.

Fire and Emergency Egress

B8 Prior to the issue of the relevant Construction Certificate, details of the Fire Safety Plan and egress shall be prepared in consultation with Fire and Rescue NSW, having regard to the issues raised in its submission dated 24 August 2015, demonstrating resolution of the concerns raised by Fire and Rescue NSW, to the satisfaction of the PCA.

On the 12 June 2019, FRNSW were in the process of developing a response to Version 7 of the Fire Engineering Report (FER) for Crown Hotel Resort when notified by The Department that modifications to the design were being sought through a Modification Application to The Department. FRNSW have subsequently notified the Certifying Authority (CA) that they will await the outcomes of the Modification Application and what impacts it will have on the FER and associated assessments before proceeding with any further review.

As evidenced by the number of meetings held and versions of the FER since the determination by the Planning and Assessment Commission, FRNSW have been involved in an extended consultation process with the design team for Crown Tower. At the time of writing though, agreement has not been reached on the fire safety plan and egress for the building to the satisfaction of FRNSW.

Considerations for the Department of Planning and the Environment

Based on the description of the proposed modifications, these may have the potential to impact on the current fire engineering analysis and assumptions made in the most recent Fire Engineering Report. For example, some changes will result in increased population numbers, different occupant uses occurring, different evacuation routes being affected and different risk levels being present in the building. These changes, FRNSW believe, would need to be appropriately addressed through the revision of FER Version 7 as they further challenge the fire safety plan and egress strategy for the building including areas currently not addressed to the satisfaction of FRNSW. Further consultation would be required to ascertain the scope of these impacts.

As the building is currently under construction, late cycle modifications also have the potential to further challenge the original fire safety plan and egress strategy as the changes proposed were not considered when developing the initial strategy. FRNSW also see late cycle

performance solutions justified on the basis of the existing design and construction conditions, possibly due to an unwillingness to do additional and unbudgeted works.

FRNSW therefore recommend that the Department give consideration to including conditions that—

- 1) expresses this concern and sentiment about late cycle modifications and indicates that additional works may be necessary to meet the relevant performance requirements of the NCC; and
- 2) ensures early stakeholder consultation occurs with a sufficient amount of detail, including addressing impacts on the current FER and items not currently resolved with FRNSW.

Should you have any further enquiries regarding any of the above matters please do not hesitate to contact the Fire Safety Branch.

Yours faithfully



Jamie Vistnes
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