

Attachment B

**Inspection Report - 233 Pymont
Street, Pymont**



**Council investigation officer Inspection and Recommendation Report
Clause 17(2) of Schedule 5, of the Environmental Planning and Assessment Act
1979 (the Act)**

CSM: 1984504

Officer: Tracey McCann

Date: 13 December 2018

Premises: 233 Pymont Street, Pymont

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on 15 November 2018 with respect to matters of fire safety.

The premises consists of an eleven (11) storey residential building containing three (3) levels of associated basement carparking & ancillary gymnasium / swimming pool area. The building is approximately 33 metres in effective height. The building is situated off Pymont Street and bounded by neighbouring properties.

The premises was issued with a fire safety upgrade order by Council on 13 March 2007. The works under the fire safety upgrade order were completed and subsequently finalised by Council on 25 May 2008.

An inspection of the premises undertaken by a Council investigation officer in the presence of the building manager on 13 December 2018 has revealed that the premises are deficient in fire safety provisions in the following areas:-

- (i) Inadequate fire detection and alarm systems;
- (ii) Poor fire safety management systems in place.

As a result of the above findings, a Fire Safety Order, under Part 2 of Schedule 5 of the Environmental Planning and Assessment Act, 1979 is required to be issued so as to ensure and promote adequate facilities for fire safety/fire safety awareness.

It should also be noted, no external cladding was identified anywhere on the facade of the building during the time of inspection.

Chronology:

Date	Event
15/11/2018	FRNSW correspondence received regarding the premises known as 233 Pymont Street, Pymont.
04/12/2018	A review of Councils records indicates that the subject premises has a current E- Licence and that a compliant annual fire safety statement was submitted on 17 August 2018 and is valid until 13 August 2019.
13/12/2018	An inspection of the premises was undertaken by a Council investigation officer in the presence of the building manager on 13 December 2018, during this inspection it was identified that the building was constructed to a previous building regulation, being, Ordinance 70. In addition, it was also noted the building does not have an adequate fire detection and alarm system nor does it have appropriate measures in place which would alert occupants of the building of a fire. Also noted that the annual fire safety statement was on display in the main lobby adjacent to the fire mimic panel.

FIRE AND RESCUE NSW REPORT:

References: [BFS18/17/10(3930) (D18/79344); 2018/638256]

Fire and Rescue NSW conducted an inspection of the subject premises on 18 October 2018 after receiving correspondence on 16 June 2018 in relation to fire safety concerns at the subject premises.

The correspondence stated in part that:

"...no alarm sounding. FIP showing supply fan 2. FIP door found open. No EWIS activated, booster pump showing battery fail and alarm isolated. Crews unable to locate supply fan 2."

Issues

The report from FRNSW detailed the following issue of concern;

1. The annual fire safety statement was not located in a prominent location within the building, with the preferred location being adjacent to the fire indicator panel.

FRNSW Recommendations

FRNSW have made no direct recommendation within their report other than legislative notification and to suggest a check of Councils records to identify if the property has appropriate supporting essential services documentation.

COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:

Issue Order(NOI)	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 a site inspection undertaken by Council investigation officers it is recommended that Council exercise its powers to give a notice of intention (NOI) for a Fire Safety Order, under Part 2 of Schedule 5 of the Environmental Planning and Assessment Act, 1979 to address the fire safety deficiencies identified by FRNSW and Council's building officer.

The issue of a fire safety order will ensure that suitable fire safety systems are in position throughout the building to provide improved and adequate provisions for fire safety.

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

Referenced documents:

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2018/638341-01
A2.	Locality Plan	2018/638256-02
A3	Attachment cover sheet	2018/638256-03

Trim Reference: 2018/638341

CSM reference No#: 1984504



File Ref. No: BFS18/1710 (3930)
TRIM Ref. No: D18/79344
Contact: [REDACTED]

9 November 2018

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
'PYRMONT APARTMENTS'
233 PYRMONT STREET, PYRMONT ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence on 16 June 2018, in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated in part that:

"...no alarm sounding. FIP showing supply fan 2. FIP door found open. No EWIS activated, booster pump showing battery fail and alarm isolated. Crews unable to locate supply fan 2."

Pursuant to the provisions of Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 18 October 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW).

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

Please be advised that details of this inspection have been provided in accordance with Section 9.32(4) of the EP&A Act. Therefore, on behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Schedule 5, Part 8, Section 17(1)(a) of the EP&A Act.

COMMENTS

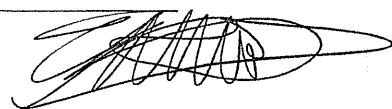
At the time of the inspection, access to 'the premises' was limited to common property only. Observations at the time was restricted to the front lobby of the building.

The following was observed at the time of the inspection:

1. Essential Service Measures
 - 1A. Fire Indicator Panel (FIP) – The fire indicator panel was free of faults or isolations. The items identified in the concern appeared to be addressed.
2. Generally
 - 2A. Annual Fire Safety Statement (AFSS) – Clause 177(3)(b) of the Environmental Planning and Assessment Regulation 2000, requires the statement to be prominently displayed in the building, at the time of the inspection the AFSS could not be located. For ease FRNSW prefers the statement be located beside the FIP. An inspection and a review of council's records may be required.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS18/1710 (3930) for any future correspondence in relation to this matter.

Yours faithfully



[REDACTED]
Building Surveyor
Fire Safety Compliance Unit