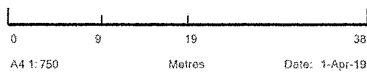


# **Attachment M**

**Inspection Report -  
84-84B Pitt Street, Sydney**



*city of villages*



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

**File: CSM2060190**

**Officer: Michael Merlino**

**Date: 2 April 2019**

**Premises: 84-84B Pitt Street, Sydney**

**Executive Summary:**

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on 26 March 2019 with respect to matters of fire safety.

The premises is known as the "Australian Business & Conference Travel House" and consists of a 16 storey commercial building used as retail spaces and offices.

Council investigations have revealed that the premises are deficient in the provisions for fire safety with regards to adequate facilities for FRNSW operations.

It is considered that the scope of the above fire safety rectification works are of a degree which will require a fire safety order to be issued so as to ensure and promote adequate facilities for fire safety.

The Order will be issued in accordance with Part 2 of Schedule 5 of the Environmental Planning and Assessment Act, 1979.

Observation of the external features of the building did not identify the existence of metallic sheet cladding on the façade of the building

**Chronology:**

<b>Date</b>	<b>Event</b>
26/3/2019	FRNSW correspondence received regarding premises 84 Pitt Street, Sydney. It is noted that the correct address is 84-84B Pitt Street, Sydney
2/4/2019	<p>An inspection of the subject premises was undertaken by a Council officer in the presence of the building manager and fire contractor.</p> <p>The following items were identified as requiring upgrading to suit FRNSW operations:</p> <ol style="list-style-type: none"><li>1. Relocation of the fire hydrant and sprinkler booster to facilitate the needs of FRNSW;</li><li>2. Insufficient signage to sprinkler and hydrant boosters including no block plan or boost test pressure signage;</li><li>3. Upgrade to internal landing valves of the fire hydrants to suit FRNSW operations;</li><li>4. Clear stored items located in some fire hose and hydrant cupboards;</li><li>5. Remove some items stored in egress paths.</li></ol>

## **FIRE AND RESCUE NSW REPORT:**

References: [BFS19/225 (6125), D19/19739; 2019/149858]

Fire and Rescue NSW conducted an inspection of the subject premises after receiving an enquiry about fire alarms not working.

Issues:

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

1. Faults to the fire indicator panel and emergency warning and intercom system panel which were confirmed by FRNSW as being rectified on 5 February 2019.
2. Issues relating to the fire hydrant system in regards to the orientation/position of the booster assembly, no block plan or boost test pressure signage.
3. Issues relating to the location and orientation of the sprinkler booster assembly, no block plan or boost test pressure signage.
4. Stored items in the rear fire isolated passageway which were confirmed by FRNSW as being rectified on 5 February 2019.
5. Doors being chocked open in basement fire isolated passageway.

### FRNSW Recommendations

FRNSW have made a number of recommendations within their report. In general FRNSW have requested that Council:

1. Inspect the subject premises and take action to have the identified fire safety issues appropriately addressed;
2. Advise them in writing of its determination in relation to this matter in accordance with the provisions of clause 17(4) of Schedule 5 of the Environmental Planning and Assessment Act 1979

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### **COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

Issue Order(NOI)	Issue emergency Order	Issue a compliance letter of instruction	Cited Matters rectified	Undertake compliance action in response to issued Council correspondence	Continue with compliance actions under the current Council Order	Other (to specify)
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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 an Order 2, 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:**

<b>No#</b>	<b>Document type</b>	<b>Trim reference</b>
A1.	Fire and Rescue NSW report	2019/161632-01
A2.	Locality Plan (cadastre please)	2019/161632-02
A3	Attachment cover sheet	2019/161632-03

**Trim Reference:** 2019/161632**CSM reference No#:** 2060190



File Ref. No: BFS19/225 (6125)  
TRIM Ref. No: D19/19739  
Contact: [REDACTED]

26 March 2019

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT  
84 PITT STREET, SYDNEY ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence on 23 January 2019, in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

*Please keep my name anonymous [REDACTED]*

*[REDACTED] there have been many safety concerns, those relating to fire are listed below:*

*Fire alarms do not work [REDACTED]  
[REDACTED] and have not been fixed*

*Intercom speaker system from the control room to all floors does not work and didn't on the last 2 evacuation exercises.*

*Telephones in the fire hose cupboards do not work.*

*There is no annual fire report displayed in the building.*

*Due to building works the smoke spill system is disabled and has been since 10th December 2018 - my understanding is that this lessens/ removes smoke - my concern is that with no alarms working and only the western stairs in use for evacuations, this is a disaster waiting to happen.*

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 31 January 2019 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of 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.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32 (4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. 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.

## COMMENTS

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items are limited to observations of the building accessed at the time of the inspection and identifies possible deviations from the National Construction Code 2016, Volume 1 Building Code of Australia (NCC). FRNSW acknowledges that the deviations may contradict development consent approval. It is therefore council's discretion as the appropriate regulatory authority to consider the most appropriate action.

The following items were identified as concerns during the inspection:

1. Essential Fire Safety Measures
  - 1A. Smoke Detection and Alarm System
    - A. Fire Indicator Panel (FIP) – The automatic smoke detection and alarm system did not appear to be capable of operating to the standard of performance from when it was first designed and installed, contrary to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). The following issues were identified as concerns at the time of inspection.

- i. Two (2) isolations, one (1) alarm and one (1) fault were displayed on the FIP.

The building manager advised that he would arrange the fire service contractor to attend the site to rectify the faults.

A re-inspection was conducted by FRNSW officers on 5 February 2019 which found, at the time of the inspection, the FIP was cleared from all isolations, alarms and faults.

- B. Emergency Warning and Intercommunication System (EWIS) – There was a fault displayed at the EWIS Panel, contrary to the requirements of Clause 182 of the EP&A Regulation.

The building manager advised that he would arrange the fire service contractor to attend the site to rectify the fault.

A re-inspection was conducted by FRNSW officers on 5 February 2019 which found, at the time of the inspection, the EWIS panel was clear from all faults.

- 1B. Fire Hydrant System: The fire hydrant system appears to be installed in accordance with Ordinance 70 and Ministerial Specification No.10. Notwithstanding this, the following comments are provided having regard to AS 2419.1.2005:

- A. The location and orientation of the fire hydrant booster assembly is positioned in such a way that does not facilitate the needs of the attending fire brigades to connect up to the equipment to undertake firefighting operations, contrary to the requirements of AS 2419.1–2005. The booster is located within an enclosure, incorporated in an external column of the building, facing away from the roadway.
- B. A block plan was not provided at the booster assembly, contrary to the requirements of Clause 7.11 of AS 2419.1–2005.
- C. Boost pressure and test pressure signage was not provided at the booster assembly, contrary to the requirements of Clause 7.10.1 of AS 2419.1-2005.

- 1C. Sprinkler System: The sprinkler system appears to be installed in accordance with Ordinance 70 and Ministerial Specification No.10. Notwithstanding this, the following comments are provided having regard to AS 2118.1-1999:

- A. The location and orientation of the sprinkler booster assembly is positioned in such a way that does not facilitate the needs of the attending fire brigades to connect up to the equipment to undertake firefighting operations, contrary to the requirements of AS 2118.1–1999. The booster is located within an enclosure, incorporated in



an external wall of the building, adjacent to the fire-isolated exit doorways.

- B. A plan of risk (block plan) was not provided at the sprinkler booster, contrary to the requirements of Clause 8.3 of AS 2118.1–1999.
- C. A sign marked with the maximum allowable inlet pressure at the connection was not provided at the booster assembly, contrary to the requirements of Clause 4.4.3 of AS 2118.1–1999.
- D. The pressure gauge located at the booster was damaged and could not be read, requiring replacement, contrary to the requirements of Clause 8.12 of AS2118.1–1999.

## 2. Access and Egress

- 2A. Miscellaneous items were stored within the fire-isolated passageway in the basement back of house area which had the possibility to cause an obstruction, contrary to Clause 184 and 186 of the EP&A Regulation.

The building manager advised that he would arrange for the items to be cleared.

A re-inspection of the premises conducted by FRNSW on 5 February 2019 revealed that the fire-isolated passageway was free from obstructions.

## 3. Compartmentation

- 3A. Fire doors – Multiple fire doors relating to the fire-isolated passageway and stairway in the basement back of house area were held in the open position (by door chocks) or had the self-closing device disabled, preventing the fire doors from self-closing, contrary to the requirements of Clause C3.8 of the NCC.

## 4. Generally

- 4A. Non-firefighting equipment was stored within some of the cabinets containing the fire hydrant, hose reels and portable fire extinguishers.

### 4B. Fire Hydrant System

It appears that the fire hydrant system may have been installed in accordance with the provisions of Ordinance 70.

In light of this, FRNSW brings to your attention a position statement published by FRNSW on 8 January 2019. The statement is shown below:

### ***Fire hydrant system in existing premises***

*When the consent authority (e.g. local Council) is assessing the adequacy of an existing fire hydrant system installed in accordance with the provisions of Ordinance 70 and Ministerial Specification 10 (or earlier), FRNSW recommend that the system be upgraded to meet the requirements of the current Australian Standard AS 2419.1 to facilitate the operational needs of FRNSW.*

*It may be appropriate for a partial upgrade of the existing fire hydrant system be undertaken. A partial upgrade may be proposed to address deficiencies in the design and/or performance of the existing fire hydrant system, when assessed against the requirements of Australian Standard AS 2419.1, so that the upgraded fire hydrant system will meet the operational needs of FRNSW. Where a hybrid fire hydrant system is proposed, which incorporates the design and performance requirements from two different standards, the proponent should consult with FRNSW on the requirements for the fire hydrant system.*

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

### **RECOMMENDATIONS**

FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 through to item no. 4 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

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 BFS19/225 (6125) for any future correspondence in relation to this matter.

Yours faithfully



[REDACTED]  
Senior Building Surveyor  
Fire Safety Compliance Unit