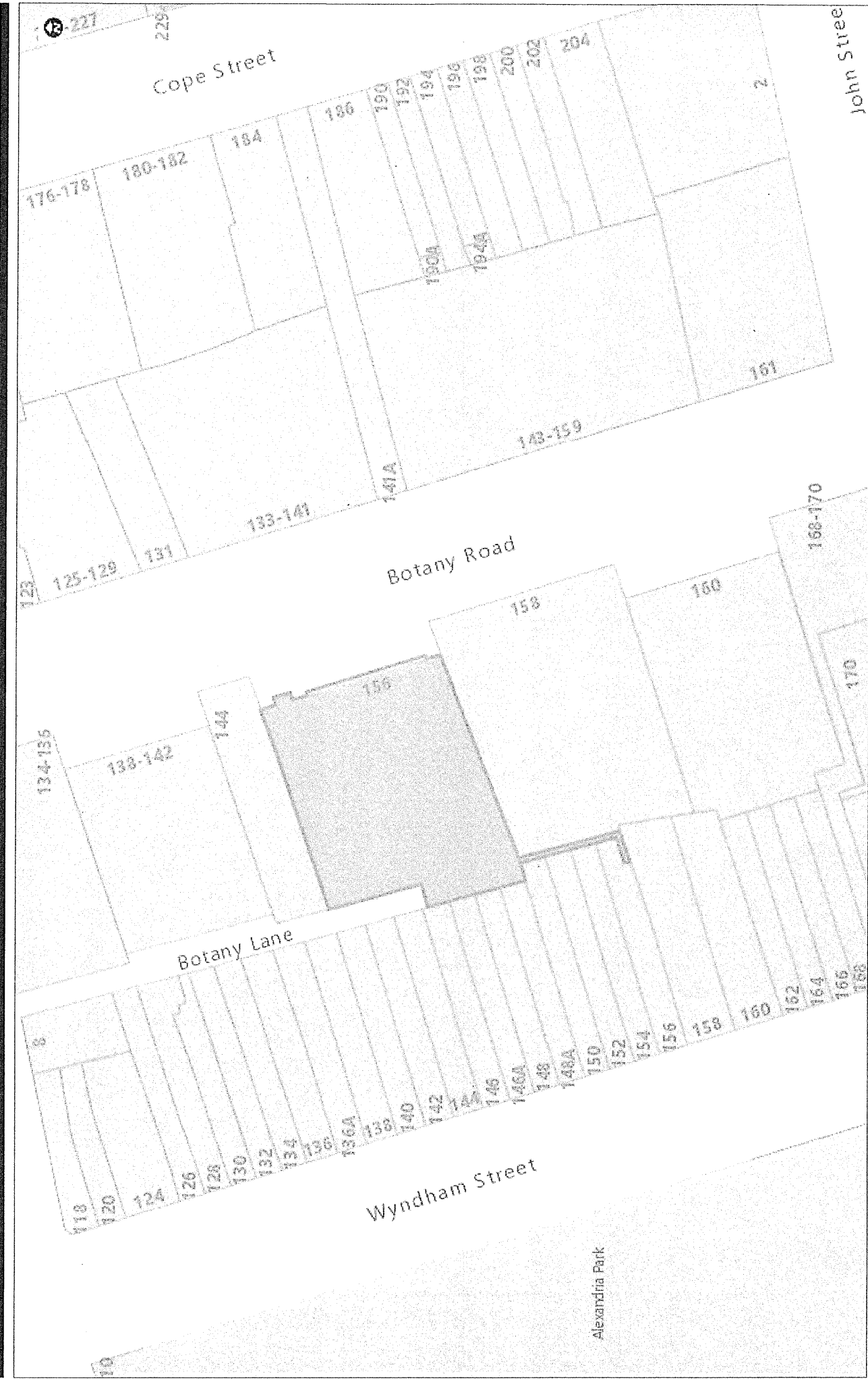


Attachment P

**Inspection Report -
156 Botany Road, Alexandria**

156 Botany Road, Alexandria



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city of sydney

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

File: CSM 2045038

Officer: Ashley Host

Date: 19 March 2019

Premises: 156 Botany Road, Alexandria

Executive Summary:

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

The premises consists of a four storey residential apartment building with basement car parking

The ground floor comprises a commercial use. The first, second and third floors are residential. Basement level is a car park.

Council investigations have revealed that the premises are deficient in fire safety and egress provisions in the following areas:

- (i) A lack of adequate facilities for firefighting;
- (ii) Suitable fire resisting construction to prevent the spread of fire;
- (iii) Poor fire safety management systems (signs/notices/not displayed etc.) in place

Council investigations have revealed that the premises are deficient in the provisions for fire safety and that an Order 2, 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.

Chronology:

Date	Event
26/02/2019	FRNSW correspondence received regarding premises located at 156 Botany Road, Alexandria
19/03/2019	<p>An inspection of the subject premises was undertaken by a Council Investigation Officer in attendance with the strata managing agent.</p> <p>The subject premises is a newly constructed residential apartment building (occupation certificate issued February 2018).</p> <p>The inspection revealed that the premises suffered from a number of fire safety deficiencies, particularly from a fire services perspective (fire hydrant system/component defects).</p> <p>It is considered that the structural issues raised in the correspondence from FRNSW do not appear to cause an immediate risk to occupants or attending emergency personnel, however further assessment is to be undertaken by City officers in conjunction with building owners to determine appropriate compliance action in this regard.</p>

FIRE AND RESCUE NSW REPORT:

References: BFS183225, D19/10987, 2019/099651

Fire and Rescue NSW conducted an inspection of the subject premises after receiving an enquiry in relation to the adequacy of the provision for fire safety in connection with "the premises".

The correspondence stated in that:

- *Internal Hydrants are blocked due to storage of boxes of floor tiles in cabinet on ground floor.*
- *Diesel pumps tagged as not operational. These pumps have power, but no water supply connected. No schematics available to indicate what fire suppression system they are responsible for.*
- *No Fire compliance certificate could be located within premises.*

Issues

The report from FRNSW details the following issues with reference to the building located at 156 Botany Road, Alexandria;

1. Essential Fire Safety Measure

1A. Fire Hydrant Installation

FRNSW is of the opinion that the fire hydrant system is non-functional. The following non-compliances were observed contrary to the requirements of Australian Standard (AS) 2419.1-2005:

- i. Both diesel pumpsets were not capable of functioning contrary to the requirements of Clause 6.1. In this regard the pump control panel indicated that the engine failed to start or the isolation switch was found to be in the OFF position;
- ii. Yellow warning labels attached to the pumpsets indicated that the pumpsets may not have been commissioned;
- iii. The large bore suction connection installed at the face of the building is not accessible to FRNSW using semi-rigid suction hose, contrary to the requirements of Clause 5.4.2. In this regard, the suction connection is approximately six metres from the kerb and obstructed by vegetation. FRNSW were unable to determine the property boundary to ascertain if the suction connection could be relocated closer to the carriageway;
- iv. Two small bore suction connections are installed at the fire hydrant booster assembly. The small-bore suction connections do not comply with the requirements of Clause 5.4.3. As a rural fire service is extremely unlikely to attend the site, FRNSW consider the connections superfluous;
- v. FRNSW were unable to determine if water is present within the system;
- vi. Identification signage is not installed at each fire hydrant cupboard contrary to the requirements of Clause 3.6.2;

- vii. The fire hydrant cupboards contain building material not associated with the control or extinguishment of fire contrary to the requirements of Clause 3.6.1 (d);
- viii. A clearance of 150mm around the wheel valve of the attack fire hydrant, located within a cupboard, is not provided contrary to the requirements of Clause 3.5. In this regard the lockable fire extinguisher case creates an impediment to the operation of the attack hydrant;
- ix. FRNSW is of the opinion that fire hydrant coverage is not achievable, contrary to the requirements of Clause 3.2. In this regard, an external or internal fire hydrant is not provided for the car parking area;
- x. The above ground isolation valves associated with the double check valve, located at the front of the property, were not secured or locked in the open position contrary to the requirements of Clause 8.5.8. In this regard FRNSW is of the opinion that the automatic in-fill associated with the water storage tanks is not automatic in operation;
- xi. Components of the fire hydrant pumphouse are installed at a height of approximately 1700mm, contrary to the requirements of clause 6.4.1. In this regard the ventilation systems is suspended from the ceiling and create a safety issue for working in the enclosure;
- xii. The internal fire hydrant pumphouse does not have a door opening to a road or open space, or a door opening to fire-isolated passage or stair which leads to a road or open space contrary to the requirements of Clause 6.4.2;
- xiii. Metal reinforcement bars are sticking up from the floor, creating trip hazards within the pumphouse.

1B. Smoke Detection and Alarm Systems

- A. Two faults were found to be present on the Fire Indicator Panel (FIP), contrary to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg).

2. Generally

2A. Access and Egress

- A. The final exit doors located in the carpark incorporates a knob style handle contrary to the requirements of Clause D2.21 of the National Construction Code 2016 Volume One, Building Code of Australia (NCC);
- 2B. The exhaust outlets for the two diesel pumpsets are directed into the path of travel to the open road from the building, which may create an impediment to safe egress. In this regard the glass egress door, located on the ground floor, directs occupants to the rear lane past the exhaust stacks.
- 2C. Atrium Construction A. The building contains an atrium which connects more than 3 levels. The fire engineering report does not address these non-compliances, contrary to the requirements of Clause G3 of the NCC.
- 2D. Fire Resistance A. Multiple penetrations are present between the carpark and residential levels, contrary to the requirements of Clause C3.12 of the NCC.

2E. Structural Provisions

- A. Multiple areas within the premises have building elements which do not appear to meet the minimum requirements for a building with Type A construction, contrary to the requirements of Section B of the NCC. FRNSW has concerns relating to the structural adequacy of the concrete construction throughout the building, which may not comply with the requirements of Clause B1.4 of the NCC and AS 3600-2009. In this regard:
- i. Reinforcement bars and multiple cracking was observed in the concrete column located behind the fire hydrant pumpsets
 - ii. The footings located outside the final exit door located on the northern side of the carpark appears to be sitting on non-structural sandstone and has reinforcement bars protruding.
 - iii. The lintel above the final exit door located on the northern side of the carpark

FRNSW Recommendations

FRNSW have made 1 recommendation within their report. In general FRNSW have requested that Council

- a. Inspect and address any other deficiencies identified on ‘the premises’ and require item no.1 through to item no.2 of this report be addressed appropriately.

FRNSW have also requested that as soon as practical after the above recommendations have been tabled and considered that notice of any determination in respect of the recommendations is forwarded to them in accordance with clause 17(4) of Schedule 5 of the Environmental Planning and Assessment Act 1979.

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)

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

It is further recommended that the owners of the building be issued with correspondence to bring to their attention the site structural issues raised by FRNSW and require assessment/verification to ensure that structural adequacy of the building is suitable for its intended use in accordance with the relevant requirements of section B of the National Construction Code 2016, Volume One, Building Code of Australia, (NCC).

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	2019/160192-01
A2.	Locality Plan	2019/160192-02
A3	Attachment cover sheet	2019/160192-03

Trim Reference: 2019/160192

CSM reference No#: 2045038



File Ref. No: BFS18/3225 (5359)
TRIM Ref. No: D19/10987
Contact: Station Officer [REDACTED]

21 February 2019

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
ALEXANDRIA PARK APARTMENTS
156 BOTANY ROAD ALEXANDRIA ("the premises")**

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

The correspondence stated that:

- Internal Hydrants are blocked due to storage of boxes of floor tiles in cabinet on ground floor.

Diesel pumps tagged as not operational. These pumps have power, but no water supply connected. No schematics available to indicate what fire suppression system they are responsible for.

No Fire compliance certificate could be located within premises.

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 30 January 2019 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW. A second inspection was conducted with Luke Jeffree of Sydney City Council on 12 February 2019

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

The following items were identified as concerns during the inspection:

1. Essential Fire Safety Measure

1A. Fire Hydrant Installation

- A. FRNSW is of the opinion that the fire hydrant system is non-functional. The following non-compliances were observed contrary to the requirements of Australian Standard (AS) 2419.1-2005:
- Both diesel pumpsets were not capable of functioning contrary to the requirements of Clause 6.1. In this regard the pump control panel indicated that the engine failed to start or the isolation switch was found to be in the OFF position;
 - Yellow warning labels attached to the pumpsets indicated that the pumpsets may not have been commissioned;
 - The large bore suction connection installed at the face of the building is not accessible to FRNSW using semi-rigid suction hose, contrary to the requirements of Clause 5.4.2. In this regard, the suction connection is approximately six metres from the kerb and obstructed by vegetation. FRNSW were unable to determine the property boundary to ascertain if the suction connection could be relocated closer to the carriageway;
 - Two small bore suction connections are installed at the fire hydrant booster assembly. The small-bore suction connections do not comply with the requirements of Clause 5.4.3. As a rural fire service is extremely unlikely to attend the site, FRNSW consider the connections superfluous;
 - FRNSW were unable to determine if water is present within the system;
 - Identification signage is not installed at each fire hydrant cupboard contrary to the requirements of Clause 3.6.2;

- vii. The fire hydrant cupboards contain building material not associated with the control or extinguishment of fire contrary to the requirements of Clause 3.6.1 (d);
- viii. A clearance of 150mm around the wheel valve of the attack fire hydrant, located within a cupboard, is not provided contrary to the requirements of Clause 3.5. In this regard the lockable fire extinguisher case creates and impediment to the operation of the attack hydrant;
- ix. FRNSW is of the opinion that fire hydrant coverage is not achievable, contrary to the requirements of Clause 3.2. In this regard, an external or internal fire hydrant is not provided for the carparking area;
- x. The above ground isolation valves associated with the double check valve, located at the front of the property, were not secured or locked in the open position contrary to the requirements of Clause 8.5.8. In this regard FRNSW is of the opinion that that the automatic in-fill associated with the water storage tanks is not automatic in operation;
- xi. Components of the fire hydrant pumproom are installed at a height of approximately 1700mm, contrary to the requirements of clause 6.4.1. In this regard the ventilation systems is suspended from the ceiling and create a safety issue for working in the enclosure;
- xii. The internal fire hydrant pumproom does not have a door opening to a road or open space, or a door opening to fire-isolated passage or stair which leads to a road or open space contrary to the requirements of Clause 6.4.2;
- xiii. Metal reinforcement bars are sticking up from the floor, creating trip hazards within the pumproom.

1B. Smoke Detection and Alarm Systems

- A. Two faults were found to be present on the Fire Indicator Panel (FIP), contrary to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg).

2. Generally

2A. Access and Egress

- A. The final exit doors located in the carpark incorporates a knob style handle contrary to the requirements of Clause D2.21 of the National Construction Code 2016 Volume One, Building Code of Australia (NCC);

- 2B. The exhaust outlets for the two diesel pumpsets are directed into the path of travel to the open road from the building, which may create an impediment to safe egress. In this regard the glass egress door, located on the ground floor, directs occupants to the rear lane past the exhaust stacks.
- 2C. Atrium Construction
- A. The building contains an atrium which connects more than 3 levels. The fire engineering report does not address these non-compliances, contrary to the requirements of Clause G3 of the NCC.
- 2D. Fire Resistance
- A. Multiple penetrations are present between the carpark and residential levels, contrary to the requirements of Clause C3.12 of the NCC.
- 2E. Structural Provisions
- A. Multiple areas within the premises have building elements which do not appear to meet the minimum requirements for a building with Type A construction, contrary to the requirements of Section B of the NCC. FRNSW has concerns relating to the structural adequacy of the concrete construction throughout the building, which may not comply with the requirements of Clause B1.4 of the NCC and AS 3600-2009. In this regard:
- i. Reinforcement bars and multiple cracking was observed in the concrete column located behind the fire hydrant pumpsets
 - ii. The footings located outside the final exit door located on the northern side of the carpark appears to be sitting on non-structural sandstone and has reinforcement bars protruding.
 - iii. The lintel above the final exit door located on the northern side of the carpark is cracked where it abuts the neighbouring building.

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. 2 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 Station Officer [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS18/3225 (5359) for any future correspondence in relation to this matter.

Yours faithfully



[REDACTED]
Team Leader Fire Safety Compliance
Fire Safety Compliance Unit