

Attachment C

**Inspection Report –
288-306 Wattle Street, Ultimo**



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

CSM: 2113339

Officer: Tereza Wickerson

Date: 26 July 2019

Premises: 288-306 Wattle Street, Ultimo

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to premises referred to as 288-306 Wattle Street, Ultimo (the premises) known as Acacia Garden Towers, regarding matters of fire safety.

The premises contains 4 residential towers comprising of 7-12 storeys, with ground level commercial tenancies and shared basement car parking; located on the corner of Wattle Street, William Henry Street and Jones Street in Ultimo.

The premises was affected by a previous Council Fire Safety Order issued on 25th of July 2016; the subject order required a fire safety audit and based on information provided was revoked by Council on 5th of December 2018.

An inspection of the building was recently undertaken by a Council investigation officer, recommendations made by FRNSW had been investigated. At the time of inspection no deficiencies to fire exits or emergency lifts were noted. The overall fire safety systems provided within the subject premises are considered adequate in the circumstances.

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 2000.

Council investigations have revealed that whilst there remains several minor fire safety "maintenance and management" works to attend to minor maintenance issues which have since been rectified, 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 contractor(s) through written instruction from Council.

It is considered that the item(s) identified by FRNSW were addressed and are being maintained to a satisfactory level.

Observation of the external features of the building did not identify the existence of a metal composite cladding material.

Chronology

Date	Event
28/06/2019	FRNSW correspondence received regarding premises 288-306 Wattle St, Ultimo
09/06/2019	An initial desktop review revealed a historical Fire Safety Order issued on 24/06/2016 was revoked as of 05/12/2018
18/07/2019	An inspection of the subject building was undertaken by a Council officer; the inspection revealed, operational lifts and fire doors in the closed position

FIRE AND RESCUE NSW REPORT:

References: [BFS19/194, D19/23762]

Fire and Rescue NSW (FRNSW) conducted an inspection of the subject premises on 20th January 2019 in accordance with Section 119 T(1) of the Environmental Planning and Assessment Act 1979 (the Act).

Issues

The report from FRNSW detailed a comment, in particular noting;

- Outstanding repairs to emergency lift; causing fire doors to be choked open

FRNSW Recommendations

FRNSW have recommended that Council inspect the subject premises and appropriately address noted (and other) deficiencies identified within their report.

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 site inspections and conversations undertaken by Council investigation officers and site personnel; the owners of the building conducted the repairs to emergency lifts and fire doors remain in a complaint position. Follow-up compliance activities have been undertaken by a Council officer to ensure identified fire safety matters have continued to be suitably addressed.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

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

Referenced documents:

No#	Document type	Trim reference
A1	FRNSW Letter dated 28 June 2019	2019/374258-01
A2	Locality Plan	2019/374258-02
A3	Attached Cover Sheet	2019/374258-03

Trim Reference: 2019/374258

CSM reference No#: 2113339



File Ref. No: BFS19/194
TRIM Ref. No: D19/23762
Contact: [REDACTED]

28 June 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
ACACIA GARDEN TOWERS
288-306 WATTLE STREET ULTIMO ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence on 20 January 2019, in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

The lift hasn't been working since 20th dec and as a result ALL the fire doors are chocked open.

Apart from the fire ramifications strangers can just walk in off the street

Pursuant to the provisions of 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, attempted to inspect 'the premises' on 19 March 2019 but were unable to gain access.

RECOMMENDATIONS

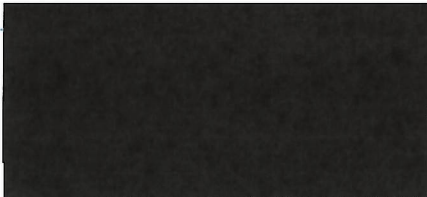
It is noted that Council, in its letter of 5 December 2018 (Ref: FIRE/2016/35), proposes to issue a Notice of Intention to Issue an Order, with regard to the provision of fire safety within the subject premises.

In that regard, FRNSW recommends that Council consider the abovementioned fire safety concern prior to the issue of any Notice of Intention to Issue an Order, in the event that the Notice has not already been issued.

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 BFS19/194 for any future correspondence in relation to this matter.

Yours faithfully

A large black rectangular redaction box covering the signature area.

Fire Safety Compliance Unit