

Attachment J

**Inspection Report -
264-278 George Street, 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 2122040

Officer: M. Merlino

Date: 23/7/2019

Premises: 264-278 George Street, Sydney

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) on 15 July 2019 in relation to the subject premises with respect to matters of fire safety.

The premises consists of a 50 storey high rise commercial building used for commercial offices, retail and carpark. The premises is known as "Australia Square".

The above premises is subject to current compliance action in respects to fire safety. Council has issued a Fire Safety Order (Order 6) under section 121P of the Environmental Planning and Assessment Act 1979 (EP&A Act) and is engaged with the owners and is in the process of progressing to issue a subsequent Fire Safety Order (Order 6) under Schedule 5, Part 2 (previous 121B) of the EP&A Act.

The issue of a new Fire Order by Council under Schedule 5, Part 2 of the EP&A Act will note and take into consideration the recommendations contained within the FRNSW report and will assess and action these recommendations as appropriate as part of the existing compliance action on the premises.

An inspection in relation to the current matter is yet to be carried out, and will be undertaken prior to a fire order being issued.

Chronology:

| Date | Event |
|-----------|---|
| 15/7/2019 | FRNSW correspondence received regarding premises 264-278 George Street, Sydney |
| 23/7/2019 | An initial desktop review of the subject building revealed that Council has current enforcement action in relation to fire safety matters. It's considered that the recommendations of FRNSW can be incorporated into this current compliance action. |
| 23/7/2019 | FRNSW correspondence referred to the responsible Council officer having carriage of existing compliance action for consideration of FRNSW recommendations. |

FIRE AND RESCUE NSW REPORT:

References: [BFS19/1970(7821), D19/49158; 2019/353649]

Fire and Rescue NSW conducted an inspection of the subject premises after receiving an enquiry about mid-level booster points requiring portable pumps to be brought to the site by FRNSW.

Issues

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

1. Previous adopted Australian Standards for fire hydrants permitted the use of an internal booster connection for portable relay pumps to be installed in buildings over 75m in height to provide pressurised water for firefighting operations. FRNSW advise that the use of portable relay pumps no longer suit the operational needs of FRNSW;
2. The location of the internal booster connection was not shown on the buildings fire hydrant block plan;
3. The passageway to access the internal booster connection on level 19 is of insufficient width to permit the portable relay pump being installed in close proximity to the boost and exhaust connections.

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. Upgrade the fire hydrant system to operate without the need for a portable relay pump, to meet the requirements of the current AS2419.1 for an equivalent new building;
3. 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

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 | Note FRNSW recommendations and consider under current Council enforcement actions | Other (to specify) |
|------------------|-----------------------|--|-------------------------|--|---|--------------------|
| | | | | | | |

As a result of the above correspondence received from FRNSW and the existing current Council enforcement actions being undertaken at the site, it is recommended:

- That Council note and take into consideration the recommendations contained within the FRNSW report, assess and action these recommendations as considered appropriate as part of the existing compliance action being undertaken by Council on the premises.
- 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 | 2019/369312-01 |
| A2. | Locality Plan | 2019/369312-02 |

| | | |
|----|-----------------------------------|----------------|
| A3 | Attachment cover sheet | 2019/369312-03 |
| A5 | Copy of current fire safety Order | 2019/369312-04 |

Trim Reference: 2019/369312

CSM reference No#: 2122040



File Ref. No: BFS19/1970 (7821)
TRIM Ref. No: D19/49158
Contact: [REDACTED]

15 July 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
AUSTRALIA SQUARE
264 GEORGE STREET SYDNEY ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence on 4 July 2019, in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- *Mid-level booster point requiring portable pumps to be brought to the site by FRNSW*

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 2 July 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

The following items were identified as concerns during the inspection:

1. Fire Hydrant System
 - 1A. Ordinance 70 and Australian Standard (AS) 2419.1-1994 permitted the use of an *internal booster connection for portable relay pumps* to be installed in buildings above 75 metres or as required by the regulatory authority, to provide a pressurised water source for firefighting operations on the upper levels of the building. In this regard, the use of portable relay pumps, no longer suits the operational needs of FRNSW.
 - 1B. The location of the internal booster connection was not shown on the fire hydrant block plan contrary to the requirements of Clause 2.3 of AS2419.1-1994.
 - 1C. The passageway to access the internal booster connection on level nineteen is of insufficient width to permit the portable relay pump being installed in close proximity to the boost and exhaust connections.

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

RECOMMENDATIONS

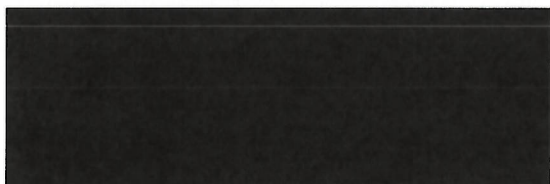
FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 of this report be addressed appropriately.
- b. Upgrade the fire hydrant system, to operate without the need for a portable relay pump, to meet the requirements of the current AS2419.1 for an equivalent new building, as these older fire hydrant systems no longer meet the operational requirements of FRNSW.

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 [REDACTED]. Please ensure that you refer to file reference BFS19/1970 (7821) for any future correspondence in relation to this matter.

Yours faithfully



Fire Safety Compliance Unit