

Attachment B

<p>Council Officer Inspection Report – 11 Smail Street, Ultimo</p>



0 6 13 25
A4 1:500 Metres Date 12-May-20

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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)**

CSM: 2268855

Officer: Andrew Venios

Date: 14 May 2020

Premises: 11 Smail Street, ULTIMO NSW 2007

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) on 18 March 2020 in relation to 11 Smail Street, ULTIMO NSW 2007.

The premises presents as a multi-storey residential building consisting of thirty four (34) residential units over six (6) floor levels.

An inspection of the building was undertaken on 13 May 2020 by a Council and comments made by FRNSW were investigated. At the time of inspection, all fire safety systems were operational. The fire hydrant system was assessed as being consistent with its installation standard/period. It was also noted, that existing fire system signage was vandalised or removed requiring replacement. No additional significant fire safety issues were identified.

Council investigations have revealed that whilst there remains several minor fire safety maintenance and management works to attend to in respect to reinstating fire safety signage and maintenance to the fire hydrant system, the overall fire safety systems provided 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.

Observation of the external features of the building did not identify composite combustible sheet cladding.

Chronology

Date	Event
18/03/2020	FRNSW correspondence received regarding premises - 11 Smail Street, Ultimo
23/03/2020	The building has a compliant fire safety statement which includes a fire engineering solution.
13/05/2020	City investigation officers inspected the premises (adhering to physical distancing requirements in response to COVID-19). At the time of the inspection, all fire safety systems were operational and no faults were listed on the fire panel. A compliance letter instructing the owner to rectify certain minor fire maintenance issues was issued.

FIRE AND RESCUE NSW REPORT:

References: [BFS20/507 (10565), D20/18637]

Fire and Rescue NSW (FRNSW) conducted an inspection of the subject premises on 19 February 2020 in accordance with Section 119 T(1) of the Environmental Planning and Assessment Act 1979 (the Act).

Issues

The report from FRNSW noted the following:

1. Essential Fire Services

1A. Fire Hydrant System

- A. Boost pressure and test pressure signage not installed at the fire brigade booster assembly contrary to the requirements of Clause 7.10.1 of Australian Standard 2419.1-2005.
- B. The fire brigade booster assembly is installed 'in series' (relay) with the fixed on-site fire pump. In this regard:
 - i. A 150mm diameter liquid-filled pressure gauge which displays the pressure at the hydrant pump discharge/ manifold is not installed at the fire brigade booster assembly contrary to the requirements of Clause 7.6(b) of AS 2419.1-2005.
 - ii. An engraved warning sign is not affixed adjacent to the pressure gauge at the fire brigade booster assembly contrary to the requirements of Clause 7.6(c) and Figure 7.6.2 of AS 2419.1-2005.

1B. Automatic Fire Sprinkler System

- A. The Fire Safety Certificate, dated 27 July 2012, states the fire sprinkler system is installed to the AS2118.1-1999 yet the fire sprinkler block plan states the system is installed to AS2118.4 - 1995. Therefore, FRNSW are unable to determine if the sprinkler system is installed in accordance with the Fire Engineers Report and the Fire Safety Schedule.

1C. Smoke Alarm and Detection System

- A. The Fire Indicator Panel (FIP) displayed two isolations relating to the smoke detector in Unit 2 contrary to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg).
 - i. FRNSW were advised the smoke detector in Unit 2 had been replaced on the 6 March 2020 and photographic evidence was provided of the FIP without isolations.

2. Generally -

2A. Certification

- A. A copy of the current Annual Fire Safety Statement was not prominently displayed in the building contrary to the requirements of Clause 177 of the EP&A Regulation. The Fire Safety Certificate displayed at the FIP is dated 27 July 2012. It could not be determined if the essential fire safety measures are being maintained in accordance with Clause 182 of the EP&A Reg.

FRNSW Recommendations

FRNSW recommended that Council inspect the subject premises and appropriately address any other deficiencies and require item no. 1A and item no. 2 of the FRNSW report also be addressed appropriately.

FRNSW 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)
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As a result of the above site inspection it is recommended that the owners of the building continue to comply with the written fire safety compliance instructions as issued by Council officers to rectify the identified fire safety deficiencies noted by FRNSW.

The above correspondence has instructed the responsible site personnel to carry out corrective actions to promote compliance.

Follow-up compliance inspections are currently being undertaken and will continue to ensure all identified fire safety matters are addressed in accordance with Council's correspondence.

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 17 March 2020	2020/207245

Trim Reference: 2020/207282

CSM reference No#: 2268855



File Ref. No: BFS20/507 (10565)

TRIM Ref. No: D20/18637

Contact: [REDACTED]

17 March 2020

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
11 SMAIL STREET ULTIMO ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence on 19 February 2020, in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- *Every time I enter the building there are multiple fire alarm faults which go off constantly and emit a very annoying noise that cannot be turned off and the building's fire alarm panel doesn't allow access.*
- *Over the last few months, people have moved out and left fire alarms going.*
- *People get called, and they turn it off, but hours later another issue somewhere in the building goes off and the noises and flashing lights continue. It's beyond getting repairs, as many tenants have called many times only for a temporary fix.*
- *The noise and underlying issues must be solved, there are now several faulty alarms in apartments, and this is not compliant with fire code regulations. Many of us have tried to have this fixed but either the building manager or the real estate agent simply don't care.*

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 3 March 2020

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. Essential Fire Services

1A. Fire Hydrant System

- A. Boost pressure and test pressure signage has not been installed at the fire brigade booster assembly contrary to the requirements of Clause 7.10.1 of Australian Standard 2419.1-2005.
- B. The fire brigade booster assembly is installed 'in series' (relay) with the fixed on-site fire pump. In this regard:
 - i. A 150mm diameter liquid-filled pressure gauge which displays the pressure at the hydrant pump discharge/manifold is not installed at the fire brigade booster assembly contrary to the requirements of Clause 7.6(b) of AS 2419.1-2005.
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1B. Automatic Fire Sprinkler System

- A. The Fire Safety Certificate, dated 27 July 2012, states the fire sprinkler system is installed to the AS2118.1-1999 yet the fire sprinkler block plan states the system is installed to AS2118.4 - 1995. Therefore, FRNSW are unable to determine if the sprinkler system is installed in accordance with the Fire Engineers Report and the Fire Safety Schedule.

1C. Smoke Alarm and Detection System

- A. The Fire Indicator Panel (FIP) displayed two isolations relating to the smoke detector in Unit 2 contrary to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg).
 - i. FRNSW were advised the smoke detector in Unit 2 had been replaced on the 6 March 2020 and photographic evidence was provided of the FIP without isolations.

2 Generally

2A. Certification

- A. A copy of the current Annual Fire Safety Statement was not prominently displayed in the building contrary to the requirements of Clause 177 of the EP&A Regulation. The Fire Safety Certificate displayed at the FIP is dated 27 July 2012. It could not be determined if the essential fire safety measures are being maintained in accordance with Clause 182 of the EP&A Reg.

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. 1A. and 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 [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/507 (10565) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

Fire Safety Compliance Unit