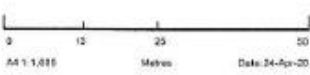
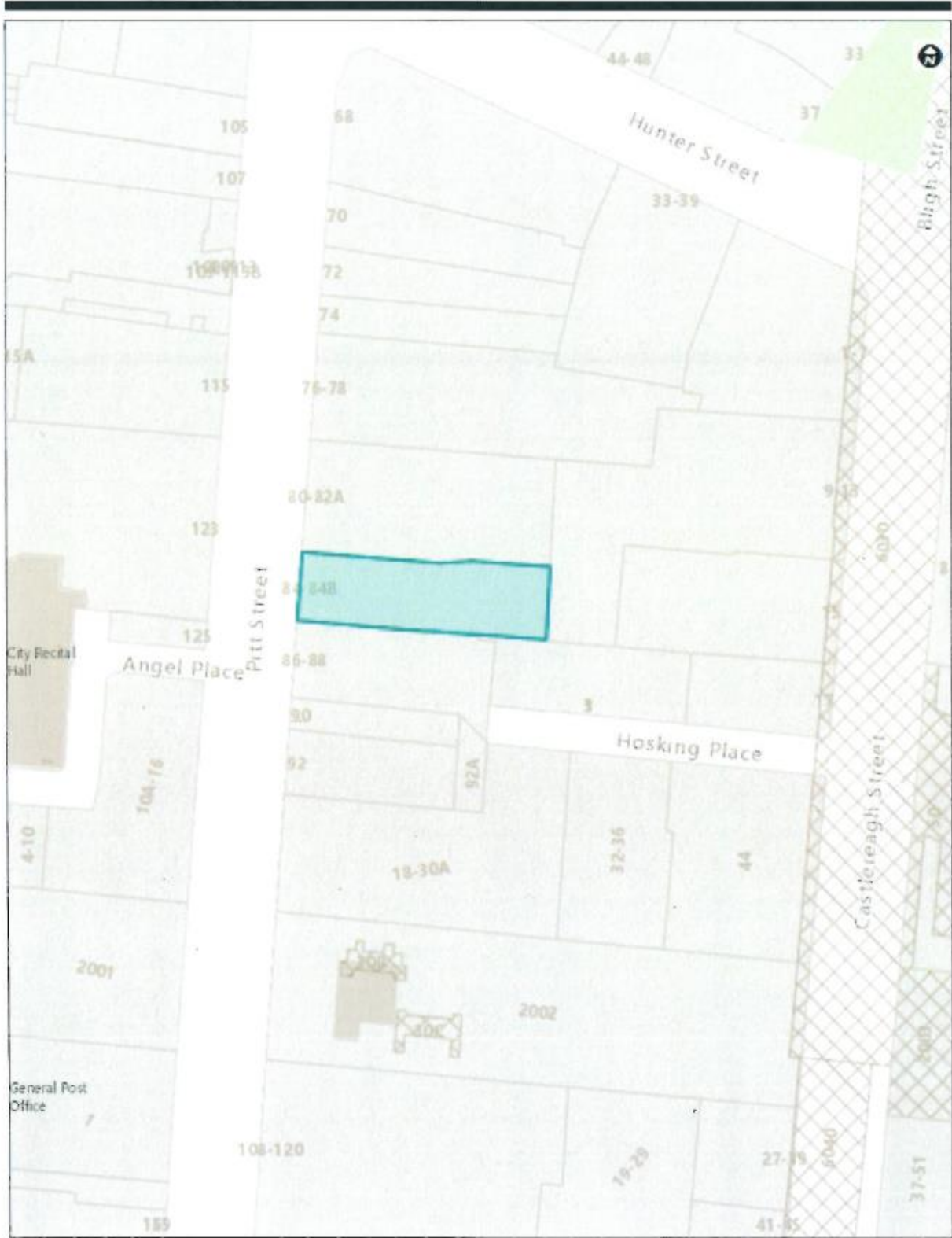


Attachment F

Council Officer Inspection Report - 84-84B Pitt Street Sydney



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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: CSM 2288272 **Officer:** Hieu Van Luu **Date:** 12 May 2020

Premises: 84-84B Pitt Street, Sydney

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) dated 14 April 2020 in relation to matters of fire safety.

The premises consists of a 17 level building with above lower ground and ground floor retail tenancies.

The building is located north of Martin Place and south of Hunter Street. Angle Place is situated west of the building on the opposite side of Pitt Street.

The building is also the subject of a City Council fire safety order (issued August 2019). This order is currently under compliance management with a due date of August 2021. The City's fire safety order encompasses the issues identified by FRNSW.

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.

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

Chronology:

Date	Event
14/04/2020	FRNSW correspondence received regarding premises 84-84B Pitt Street, Sydney.
12/05/2020	<p>An inspection of the premises undertaken by a Council investigation officer in the presence of the building manager revealed that the issues associate with the Sound System and Intercom Systems for Emergency Purposes (SSISEP) raised by Fire Rescue NSW have partially been rectified as follows:-</p> <ol style="list-style-type: none">1. Emergency tones and messaging on level six (6) has been fixed and were audible,2. The warden intercommunication phones (WIP) were not operational on multiple levels throughout the building. The WIP board in EWIS has not been rectified due to the board being shipped from a New Zealand supplier and delay caused by New Zealand borders closed due to COVID-19 Pandemic ;3. An audio fault on Level 2 was displayed on the SSISEP panel has been cleared. <p>Corrective action letter sent on 12 May 2020.</p>

FIRE AND RESCUE NSW REPORT:

References: [BFS20/665 (10724), D20/25418; 2020/179134]

Fire and Rescue NSW conducted an inspection of the subject premises after receiving correspondence on 5 March 2020 in relation to fire safety.

Issues

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

The issues associate with the Sound System and Intercom Systems for Emergency Purposes (SSISEP) in that:-

- 1. Emergency tones and messaging were not audible on level six (6),
- 2. The Warden Intercommunication Phones (WIP) were not operational on multiple levels throughout the building, and
- 3. An audio fault on Level 2 was displayed on the SSISEP panel.

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

FRNSW Recommendations

The inspecting Authorised Fire Officers' of FRNSW issued an Order No. 1, dated 2 April 2020, in accordance with the provisions of Section 9.34 of the Environmental Planning and Assessment Act, 1979 (the Act) to have **item no. 1A** of this report complied with.

In accordance with the provisions of Schedule 5, Part 6, Section 12 of the Act, a copy of the Order was attached for the City's information. FRNSW will conduct further inspections of the building to assess compliance with the terms of this Order and will advise Council accordingly.

In this regard, FRNSW does not consider Council is required to take action in relation to **item no. 1A** of this report.

FRNSW have requested that their report and recommendations be tabled at a Council meeting in accordance with the provisions of Section 9.32 and Schedule 5, Part 8, Section 17(2) of the EP&A Act.

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 the above site inspection undertaken by Council investigation officers it is recommended that the owners of the building continue to undertake compliance action in response to Council correspondence of 12 May 2020 to rectify the identified fire safety deficiencies noted by FRNSW.

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

Referenced documents:

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2020/179134-01

Trim Reference: 2020/179134

CSM reference No#: 2288272



File Ref. No: BFS20/665 (10724)

TRIM Ref. No: D20/25418

Contact: [REDACTED]

14 April 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
84 PITT STREET SYDNEY (“the premises”)**

Fire and Rescue NSW (FRNSW) received correspondence on 5 March 2020, in relation to the adequacy of the provision for fire safety in or in connection with ‘the premises’.

The correspondence stated that:

- *The Fire Alarm in our building does not work*
- *We had an active fire two weeks ago and after several email and compilations we are still not any close to getting it fixed.*
- *I have been advised by other tenants that this has been an issue for over two years*

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 9 April 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 at the time of the inspection:

1. Essential Fire Safety Measures

1A. Automatic Smoke Detection and Alarm System

- A. FRNSW tested the Sound System and Intercom Systems for Emergency Purposes (SSISEP) and observed the following:
 - i. Emergency tones and messaging were not audible on level six (6).
 - ii. The WIP (warden intercommunication phones) were not operational on multiple levels throughout the building.
 - iii. An audio fault on Level 2, was displayed on the SSISEP panel.

FRNSW is of the opinion that the SSISEP panel is not being maintained in accordance with Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg).

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

FIRE SAFETY ORDER NO. 1

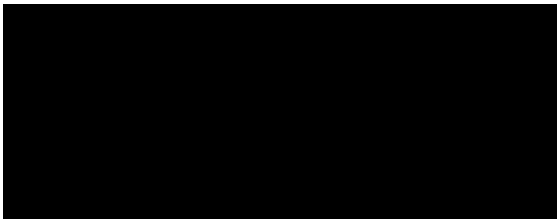
The inspecting Authorised Fire Officers' of FRNSW issued an Order No. 1, dated 2 April 2020, in accordance with the provisions of Section 9.34 of the EP&A Act, to have **item no. 1A** of this report.

In accordance with the provisions of Schedule 5, Part 6, Section 12 of the EP&A Act, a copy of the Order is attached for your information. FRNSW will conduct further inspections of the building to assess compliance with the terms of this Order and will advise Council accordingly.

In this regard, FRNSW does not consider Council is required to take action in relation to **item no. 1A** of this report.

This matter is referred to Council as the appropriate regulatory authority. 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 BFS20/665 (10724) for any future correspondence in relation to this matter.

Yours faithfully



Fire Safety Compliance Unit

Attachment: Appendix 1 - Fire Safety Order No.1 - 4 pages

Appendix 1 - Fire Safety Order No.1 - 4 pages

Unclassified



File Ref. No: BFS20/665 (10724)
TRIM Ref. No: D20/24176
Contact: [REDACTED]

3 April 2020

The Owners of Strata Plan No. [REDACTED]
84 Pitt Street
Sydney NSW 2000

Dear Owners of Strata No. [REDACTED]

**Re: FIRE SAFETY ORDER – ORDER 1
84 PITT STREET SYDNEY (“the premises”)**

Fire & Rescue NSW (FRNSW) has received your letter dated 1 April 2020 in response to the Notice of Intention to issue a Fire Safety Order, dated 18 March 2020. As a result of your representations, FRNSW has determined to issue the Fire Safety Order with consideration being given to your representations, in accordance with the provisions of Schedule 5, Part 7 (Section 14 and Section 15) of the *Environmental Planning & Assessment Act 1979 (EP&A Act)*.

Accordingly, please find attached a copy of the FRNSW Fire Safety Order (Order No. 1) dated 3 April 2020, issued in accordance with the provisions of Section 9.34 of the EP&A Act. A copy of the Order will be forwarded to Sydney City Council, in accordance with the provisions of Schedule 5, Part 6, Section 12 of the EP&A Act, where further inspections will be conducted by FRNSW to assess compliance with the terms of the Order.

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 BFS20/665 (10724) for any future correspondence in relation to this matter.

Yours faithfully,

[REDACTED]

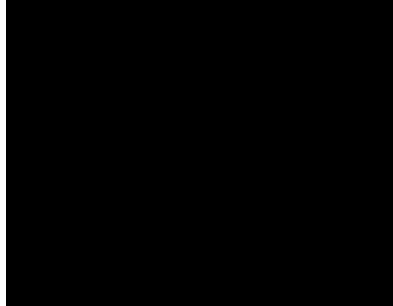
Fire Safety Compliance Unit

Fire and Rescue NSW	ABN 12 593 473 110	www.fire.nsw.gov.au
Community Safety Directorate	1 Amarina Ave	T (02) 9742 7434
Fire Safety Compliance Unit	Greensacre NSW 2190	F (02) 9742 7843
Firesafety@fire.nsw.gov.au		Page 1 of 4

Unclassified

Unclassified

CC:



Unclassified

Unclassified



Fire Safety Order ORDER No. 1

**Under the Environmental Planning and Assessment Act 1979 (EP&A Act)
Part 9 Implementation and Enforcement – Division 9.3 Development Control
Orders**

**Fire Safety Orders in accordance with the table to Part 2 - Schedule 5.
Give an Order in accordance with Section 9.34(1)(b)**

I, [redacted] **Station Officer** [redacted]
(name) (rank) (number)

being an authorised Fire Officer within the meaning of Schedule 5, Part 8, Section 16 of the *Environmental Planning and Assessment Act 1979*, and duly authorised for the purpose, hereby order you

The Owners of Strata No. [redacted] **Owner**
(name of person whom Order is served) (position i.e. owner, building manager)

with respect to the premise

84 PITT STREET SYDNEY ("the premises")
(name/address of premises to which Order is served)

to do, or refrain from doing, the following things:

1. Restore the Sound System and Intercom Systems for Emergency Purposes (SSISEP) to operate by:
 - a. Repairing the speakers at the premises so emergency tones and messaging are audible on each level or area of the building, and
 - b. Repair the warden intercommunication phones to permit communication between the emergency control organisation.

The reasons for the issue of this Order are:

- a. The building was occupied at the time of the inspection.

Fire and Rescue NSW	ABN 12 593 473 110	www.fire.nsw.gov.au
Community Safety Directorate	1 Amarina Ave	T (02) 9742 7434
Fire Safety Compliance Unit	Greensacre NSW 2190	F (02) 9742 7843
Firesafety@fire.nsw.gov.au		Page 3 of 4

Unclassified

Unclassified

- b. A non-operational SSISEP may not alert occupants to an emergency within the building, preventing a safe and timely evacuation.
- c. Emergency tones and messaging were not audible on level six (6) at the premises.
- d. All warden intercommunication phones at the premises were not operational. Therefore, chief/floor/area wardens cannot operate communication equipment in accordance with Australian Standard (AS) 3745-2010 to stage a safe evacuation.
- e. To comply with the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000.
- f. To do, or refrain from doing such things that are specified in the Order, so as to ensure or promote adequate fire safety or fire safety awareness.

The terms of the Order are to be complied with:

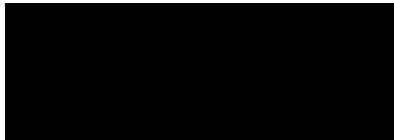
By no later than on the **18 May 2020**.

Appeals

Pursuant to Section 8.18 of the Environmental Planning & Assessment Act 1979 (EP&A Act), there is no right of appeal to the Court against this Order, other than an order that prevents a person using or entering premises.

Non-Compliance with the Order

Failure to comply with this Order may result in further Orders and/or fines being issued. Substantial penalties may also be imposed under Section 9.37 of the EP&A Act for failure to comply with an Order.



Fire Safety Compliance Unit

This Order No. 6 was sent by e-mail on **3 April 2020**.