

# **Attachment S**

**Council Officer Inspection Report -  
16 O’Riordan Street, Alexandria**



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**Council investigation officer Inspection and Recommendation Report**  
**Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment Act**  
**1979 (the Act)**

**File:** CSM 2298110

**Officer:** Luke Jeffree

**Date:** 14 May 2020

**Premises:** 16 O’Riordan Street, Alexandria

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**Executive Summary:**

Fire and Rescue NSW conducted an inspection of the subject premises in response to the public health orders issued by the Minister for Health & Medical Research. Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) dated 10 February 2020 in relation to the subject premises with respect to matters of fire safety.

The premises consists of an eight storey building known as Value Suites used for hotel accommodation. The site fronts O’Riordan Street, Alexandria, it is slightly irregular in shape and has a total land area of 689.1 m<sup>2</sup> with no secondary street frontages.

FRNSW did observe Aluminium Composite Panel Cladding as part of the building’s external façade). FRNSW suggested that Council, as the appropriate regulatory authority, inspect the premises, review its records and consider the most appropriate action.

Council’s Cladding Team has commenced an investigation and preliminary results have established that the cladding appears to be a building code compliant material which has been the subject of an assessment by an independent industry expert. The expert concluded that the existing external wall cladding is deemed non-combustible and does not pose a risk to both the safety of persons or to the spread of fire. City officers are continuing with the investigation seeking further supportive documentation prior to making a formal determination as to its suitability.

An inspection of the premises undertaken by a Council investigation officer in the presence of the owner and his builder revealed that there were no significant fire safety issues occurring within the building.

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 fire safety investigation has revealed that the premises have suitable and compliant provisions for fire safety and egress.

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**Chronology:**

<b>Date</b>	<b>Event</b>
27/04/2020	FRNSW correspondence received regarding premises at Value Suites, 16 O’Riordan Street, Alexandria.
07/05/2020	An inspection of the common areas was undertaken by a Council officer with the owner. The inspection revealed that the most current Annual Fire Safety Statement was on display and located prominently within the building. Council’s officer observed that all of the items of concern regarding the building’s fire hydrant system as stated within FRNSW’s report had been satisfactorily rectified.

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**FIRE AND RESCUE NSW REPORT:**

References: [D20/29235; 2020/178457]

Fire and Rescue NSW conducted an inspection of the subject premises in response to the public health orders issued by the Minister for Health & Medical Research.

Issues

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

1. Lack of required pressure gauge to existing fire hydrant booster assembly;
2. Incorrect lock type provided to cabinet door of fire hydrant booster assembly;
3. Lack of required hold open device to cabinet door of fire hydrant booster enclosure;
4. Door to fire hydrant pump room not secured to prevent entry of unauthorised persons;
5. A number of service penetrations within fire hydrant pump room inadequately fire sealed; and
6. Aluminium Composite Panel Cladding observed to external façade and referred to Council for investigation.

FRNSW Recommendations

FRNSW have recommended that Council inspect the subject premises and take action to have the listed fire safety issues appropriately addressed.

FRNSW have also requested that as soon as practical after the above report has 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.

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**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

<del>Issue- Order(NOI)</del>	<del>Issue- emergency- Order</del>	<del>Issue a- compliance letter- of instruction</del>	<del>Cited Matters rectified</del>	<del>Continue to undertake- compliance action in- response to issued- Council correspondence</del>	<del>Continue with- compliance actions- under the current- Council Order</del>	<del>Other (to- specify)</del>
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Inspections undertaken by a Council investigation officer in company with the owner of the premises revealed that the recommendations of FRNSW have been complied with.

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 determination.

**Referenced documents:**

<b>No#</b>	<b>Document type</b>	<b>Trim reference</b>
A1.	Fire and Rescue NSW report	2020/200178-01

**Trim Reference:** 2020/200178

**CSM reference No#:** 2298110





File Ref. No: BFS20/1078 (11122)  
TRIM Ref. No: D20/29235  
Contact: Mark Knowles

23 April 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER  
'VALUE SUITES'  
16 O'RIORDAN STREET, ALEXANDRIA ("the premises")**

In response to the public health orders issued by the Minister for Health and Medical Research, an inspection of 'the premises' on 8 April 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW), pursuant to the provisions of Section 9.16 and Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

In this instance, the inspection revealed fire safety concerns that may require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

In this regard, 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.

Fire and Rescue NSW	ABN 12 593 473 110	<a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a>
Community Safety Directorate Fire Safety Compliance Unit	1 Amarina Ave Greenacre NSW 2190	T (02) 9742 7434 F (02) 9742 7483

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

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## COMMENTS

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items outline concerns in general terms, deviations from the fire safety provisions prescribed in Section 9.32(1)(b) of the EP&A Act. In this regard, it would be at council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

The following items were identified as concerns at the time of the inspection:

### 1. Essential Fire Safety Measures

#### 1A. Fire Hydrant System – The following comments are provided having regard to AS 2419.1:2005:

##### a) The booster assembly:

- i. An engraved warning sign is provided at the booster assembly indicating the booster is connected 'in series' with the fixed on-site fire pump, however, a 150mm diameter liquid filled pressure gauge which indicates the pressure at the pump discharge pipe/manifold, has not been provided, contrary to the requirements of Clause 7.6 of AS2419.1:2005.
- ii. The hydrant booster assembly enclosure did not contain a lock compatible with FRNSW access key (003 key), contrary to the requirements of Clause 7.9 of AS2419.1:2005.
- iii. The doors to the booster enclosure were not fitted with a device capable of securing the door in not less than a 90° open position, contrary to the requirements of Clause 7.9.2 of AS 2419.1:2005.

##### b) The hydrant pumphoom:

- i. The pumphoom, which is accessed directly from the fire-isolated passageway, is not secured to prevent the entry of unauthorised persons, contrary to the requirements of Clause 6.4.1(a) of AS2419.1:2005. In this regard, the door leading to the pumphoom did not contain any locking/latching mechanism.
- ii. Multiple service penetrations through the fire rated walls in the pumphoom, did not appear to be adequately fire stopped in accordance with Clause C3.15 and Specification C3.15 of the National Construction Code Volume One Building Code of Australia (NCC).

2. Generally

2A. Aluminium Composite Panel Cladding - A visual inspection of the external façade has revealed that a combustible material may be:

- incorporated or forming part of the external wall; or
- used as a finish, lining or attachment to a building element required to have a required fire-resistance level (FRL).

The material is located on the façade of the building and is near or directly above required exits.

External walls for a building of Type A fire-resisting construction must be non-combustible, in accordance with Specification C1.1 of the NCC.

If the building material is combustible and used as a finish, lining or attachment to a building element which has the required FRL, there is a risk that it may:

- impair the FRL of the wall to which it is attached;
- compromise the safe evacuation of occupants from the building; and
- lead to the spread of fire by way of the building facade.

In this regard, the following may require council's discretion as the appropriate regulatory authority to inspect 'the premises', review its records and consider the most appropriate action by confirming:

- i. Whether the building has been approved as Type A fire-resisting construction in accordance with Clause C1.1 of the NCC.
- ii. Whether the building material is considered combustible and requires further enforcement action as an "external wall" or an "attachment", as defined by the NCC.

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.



Unclassified

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Mark Knowles of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/1078 (11122) for any future correspondence in relation to this matter.

Yours faithfully



Mark Knowles  
Senior Building Surveyor  
Fire Safety Compliance Unit

Unclassified

- A conceptual overview of the part of the building referred to in the fire safety concern only, 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

This report is limited to observations and sections of the building accessed at the time of the inspection. As such, this report lists potential deviations from the National Construction Code 2019 Building Code of Australia – Volume One (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed may relate to the building's age or contradict development consent approval. In this regard, it is at council's discretion as the appropriate regulatory authority to consider the most appropriate action and determine whether an investigation is required.

The following items were identified as concerns during the inspection:

### 1. Essential Fire Safety Measures

- 1A. Exit Doors – The southernmost doorset, proving egress to Pirrama Road, failed to fully open without applying significant force. The northernmost doorset had a broken self-closing device. The duty manager for the premises was informed of the issue and agreed to have the issues rectified.

A follow-up inspection was carried out to confirm that the abovementioned issues had been rectified, and that the exit doors operated as required.

- 1B. Maintenance - At the follow-up inspection it was noted that the door closing sequencer to one of the sets of double fire safety doors (the northernmost doorset) was not maintained and the doors failed to return to the fully closed position after opening, contrary to the requirements of Clause C3.4 of the NCC.

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

## RECOMMENDATIONS

FRNSW recommends that Council:

Inspect and address any other deficiencies identified on 'the premises' and require item no. 1B 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 BFS19/2875 (8689) for any future correspondence in relation to this matter.

Yours faithfully

A black rectangular redaction box covering the signature of the Senior Building Surveyor.

Senior Building Surveyor  
Fire Safety Compliance Unit