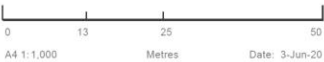


Attachment C

**Inspection Report -
5 Defries Avenue and 5 Hutchinson Walk,
Zetland**



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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 2316692

Officer: Luke Jeffree

Date: 8 June 2020

Premises: 5 Defries Avenue & 5 Hutchinson Walk, Zetland – ‘VSQ1’

Executive Summary:

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

The site known as ‘VSQ1’ contains five residential apartment buildings (A, B, C, D and E) located above a common podium level and basement carpark. The podium level contains a central courtyard, vacant retail tenancy and car parking spaces. The site has an area of approximately 7,994 square metres, bounded by Ascot Avenue to the west, Hutchinson Walk to the north and Defries Avenue to the east.

The subject of the FRNSW enquiry is one building known as building E (also known as 8 Ascot Avenue, Zetland), comprising a sixteen storey residential apartment building, situated at the southern end of the site.

An inspection of the premises undertaken by a Council investigation officer on 4 June 2020 in the presence of the building manager revealed that there were no significant fire safety issues occurring within the building.

The premises are equipped with numerous fire safety systems that would provide adequate provision for fire safety of 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 minor fire safety maintenance and management works to attend to, 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 owners fire services contractor, and this was communicated through a written instruction dated 15 June 2020.

Observation of the external features of the building identified the existence of potential combustible composite cladding on the façade. The City’s dedicated cladding team advises that that a Notice of intention to issue a Building Product Rectification Order was issued. This Notice requires the building owners to have the hazardous cladding removed and replaced with a material that is compliant with the National Construction Code (Building Code of Australia). The City received a submission in response to this Notice, and after considering the submission, City officers determined to order the required works to be undertaken in accordance with the issued Notice.

Chronology:

Date	Event
21/05/2020	FRNSW correspondence received regarding premises VSQ1, 8 Ascot Avenue, Zetland [5 Defries Avenue & 5 Hutchinson Walk, Zetland]
27/05/2020	Council officer contacted the building manager and discussed rubbish and household items dumped on Defries Avenue, as mentioned in FRNSW's correspondence.
28/05/2020	Council's officer advised Council's Manager Cleansing & Waste of the matters raised in FRNSW's correspondence. The Officer also emailed a copy of the correspondence to the Manager for information and or action.
04/06/2020	<p>An inspection of the subject premises was undertaken and revealed that the most current Annual Fire Safety Statement (AFSS) was on display and located prominently within the main foyer of VSQ1.</p> <p>The Council officer observed that no mobile garbage bins were being stored on Defries Avenue street verge or in front of the booster enclosure. The bins were being stored in the internal garbage bin storage room located directly behind the street verge. The officer noted that the bin room and its location appeared consistent with the approved development consent plans.</p> <p>The inspection also revealed that warning signs are installed on the door providing access to booster enclosure and on the adjacent external wall of the building. The wording of the signs read "<i>DO NOT BLOCK DOOR</i>" & "<i>NO DUMPING UNDER PENALTY OF LAW</i>". The building manager advised the signs were installed when the abovementioned dumping of rubbish & household items occurred in late April 2020.</p> <p>Council's officer determined that another warning sign should also be painted on the pavement (directly in front of the doors to booster enclosure) as a deterrent to prevent persons moving rubbish, mobile bins or other items in front of the doors to booster enclosure. The wording of the signage will read "<i>KEEP CLEAR</i>".</p>
15/06/2020	Corrective action letter confirming the above was sent to building owners.

FIRE AND RESCUE NSW REPORT:

References: [D20/38438; 2020/222056]

Fire and Rescue NSW conducted an inspection of the subject premises after receiving an enquiry in relation to the adequacy of the provision of fire safety in connection with the premises.

Issues

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

1. Large amount of rubbish and household items dumped in front of fire hydrant booster enclosure restricting emergency access to critical systems; and
2. Mobile garbage bins being stored directly in front of fire hydrant and fire sprinkler system booster enclosure obstructing FRNSW's access to booster connections.

FRNSW Recommendations

FRNSW have made no direct recommendation within their report other than legislative notification, however they have made the following comments:

“At the time of the inspection multiple mobile garbage bins (1100 litre) were being stored directly in front of the Hydrant and Sprinkler Booster enclosure on Defries Avenue, which was obstructing access to the booster connections.

Discussions were held with the cleaning contractor at the time of the inspection, which revealed the bins were stored in that location on garbage collection days and later moved back into the internal garbage room. FRNSW were assured an alternative storage location would be used for bin collection and access to the booster would remain unobstructed. The bins were removed prior to FRNSW’s departure from ‘the premises’.

Notwithstanding this, it would be at Council’s discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.”

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 undertaken by Council investigation officers the owners of the building were issued with written instructions on 15 June 2020 to rectify the identified fire safety deficiencies noted by FRNSW.

The above written instructions direct the owners of the premises to carry out remedial actions adjacent to existing fire systems to cause compliance with required standards of performance.

Follow-up compliance inspections are currently being undertaken, and will continue to be undertaken by a Council officer to ensure all identified fire safety matters are suitably addressed and that compliance with the terms of Councils correspondence occur.

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:

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2020/235395-01

Trim Reference: 2020/235395

CSM reference No#: 2316692

Unclassified



File Ref. No: BFS20/1274 (11309)
TRIM Ref. No: D20/38438
Contact: [REDACTED]

21 May 2020

The General Manager
City of Sydney Council
GPO Box 1591
SYDNEY NSW 2001

Email: council@cityofsydney.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT
'VSQ1'
8 ASCOT AVENUE, ZETLAND ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence on 27 April 2020, in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- *Large amount of rubbish and household items dumped in front of hydrant booster street door on Defries Avenue, Zetland, Restricting emergency access to critical systems.*

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 7 May 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.

Fire and Rescue NSW	ABN 12 593 473 110	www.fire.nsw.gov.au
Community Safety Directorate	1 Amarina Ave	T (02) 9742 7437
Fire Safety Compliance Unit	Greenacre NSW 2190	F (02) 9742 7483
www.fire.nsw.gov.au		Page 1 of 2

Unclassified

Unclassified

Please be advised that details of this inspection have been provided in accordance with Section 9.32(4) of the EP&A Act. Therefore, on behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Schedule 5, Part 8, Section 17(1)(a) of the EP&A Act.

COMMENTS

At the time of the inspection multiple mobile garbage bins (1100 litre) were being stored directly in front of the Hydrant and Sprinkler Booster enclosure on Defries Avenue, which was obstructing access to the booster connections.

Discussions were held with the cleaning contractor at the time of the inspection, which revealed the bins were stored in that location on garbage collection days and later moved back into the internal garbage room. FRNSW were assured an alternative storage location would be used for bin collection and access to the booster would remain unobstructed. The bins were removed prior to FRNSW's departure from 'the premises'.

Notwithstanding this, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.

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 BFS20/1274 (11309) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

►

[REDACTED]
Senior Building Surveyor
Fire Safety Compliance Unit

Unclassified