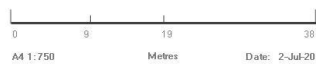


# **Attachment C**

**Inspection Report -  
148 Elizabeth Street, Sydney**

# 148 Elizabeth Street, Sydney

Hyde Park Towers



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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)**

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**File:** CSM 2328864

**Officer:** Ashley Host

**Date:** 2 July 2020

**Premises:** 148 Elizabeth Street, Sydney (Hyde Park Towers)

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**Executive Summary:**

Council received correspondence dated 15 June 2020 from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises with respect to matters of fire safety.

The premises consists of a 33 storey residential building including two basement carpark levels exceeding 25m in height.

Council investigations have revealed that the premises lack adequate facilities to assist FRNSW in firefighting and rescue operations. Therefore, the premises are deficient in the provisions for fire safety and that a fire safety order to be issued under Schedule 5 of the Environmental Planning and Assessment Act, 1979 is required to ensure and promote adequate facilities for fire safety.

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

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**Chronology:**

<b>Date</b>	<b>Event</b>
15/06/2020	FRNSW correspondence received regarding premises 148 Elizabeth Street, Sydney.
01/07/2020	An inspection of the subject premises was undertaken by Council investigation officer Ashley Host in attendance with the Building Manager.

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**FIRE AND RESCUE NSW REPORT:**

References: BFS20/1398 (11431), D20/43218, 2020/257251

Fire and Rescue NSW received correspondence in relation to the adequacy of the provision for fire safety in connection with the premises.

The correspondence stated that “FRNSW are required to transport portable pumps to the building combat a fire on the upper levels”.

Issues

The report from FRNSW details the following:

1. Essential Fire Safety Measures
  - 1A. Fire Hydrant System

- A. Ordinance 70 and Australian Standard AS2419.1-1994 permitted the use of *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.

### FRNSW Recommendations

FRNSW have made two recommendations and request 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. FRNSW recommends any fire hydrant system installed in accordance with the provisions of Ordinance 70 and Ministerial Specification 10 (or earlier) should be upgraded 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 needs of FRNSW.

FRNSW have 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.

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### **COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

Issue Order(notice of intention)	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 a site inspection undertaken by Council's officer it is recommended that Council exercise its powers to give a notice of intention for a fire safety order to be issued under Schedule 5 of the Environmental Planning and Assessment Act, 1979 to address the fire safety deficiencies identified by FRNSW and Council's officer.

The fire safety order will ensure that suitable fire safety systems are in position throughout the building to provide improved and adequate provisions for fire safety

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	2020-280420
A2.	Locality Plan	2020-280420
A3	Attachment cover sheet	2020-280420

**Trim Reference:** 2020/280420

**CSM reference No#:** 2328864

Unclassified



File Ref. No: BFS20/1398 (11431)  
TRIM Ref. No: D20/43218  
Contact: [REDACTED]

15 June 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 Sir/Madam,

**Re: INSPECTION REPORT  
HYDE PARK TOWERS  
148 ELIZABETH STREET SYDNEY ("the premises")**

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

The correspondence indicated that:

- *FRNSW are required to transport portable pumps to the building combat a fire on the upper levels.*

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 11 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.

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

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

Community Safety Directorate  
Fire Safety Compliance Unit

1 Amarina Ave  
Greenacre NSW 2190

T (02) 9742 7434  
F (02) 9742 7483

[Firesafety@fire.nsw.gov.au](mailto:Firesafety@fire.nsw.gov.au)

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Unclassified

## COMMENTS

The following items were identified as concerns during the inspection:

1. Essential Fire Safety Measures
  - 1A. Fire Hydrant System
    - A. 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.

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. FRNSW recommends any fire hydrant system installed in accordance with the provisions of Ordinance 70 and Ministerial Specification 10 (or earlier) should be upgraded 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 needs 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 Station Officer [REDACTED] of FRNSW's Fire Safety Compliance Unit on [REDACTED]. Please ensure that you refer to file reference BFS20/1398 (11431) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

[REDACTED]  
Team Leader Fire Safety Compliance  
Fire Safety Compliance Unit