

# **Attachment B**

**Inspection Report -  
327-329 Pitt Street, Sydney**





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

**File:** CSM 2368880      **Officer:** Hieu Van Luu      **Date:** 27 August 2020

**Premises:** 327-329 Pitt Street, Sydney

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**Executive Summary**

Council received correspondence dated 20 August 2020 from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises with respect to matters of fire safety, in response to the public health order issued by the Minister for Health and Medical Research.

The site is located on the north western corner of Pitt Street and Bathurst Street and is a mixed-use building with retail on ground floor level and serviced apartments on the levels above.

An inspection of the premises was undertaken by Council's officer in the presence of the building manager and revealed that the isolation issues associated with the Fire Indicator Panel identified by FRNSW had been rectified.

FRNSW also raised issues relating to the buildings existing fire hydrant system, which was originally installed to meet the applicable standard at the time of installation. FRNSW have advised that they no longer use portable relay pumps that are required for the internal booster relay connections for the building hydrant system.

Considering the comments provided from FRNSW that the current fire hydrant system relies on the use of portable relay booster pumps, Council's investigations have determined that the premises are deficient in fire safety provisions.

An Order 2, under Part 2 of Schedule 5 of the Environmental Planning and Assessment Act, 1979 is required to be issued to ensure and promote adequate facilities for fire safety/fire safety awareness.

Observation of the external features of the building identified the existence of potential combustible composite cladding on the building.

The City's cladding compliance team has commenced an investigation into the external cladding installed on this building. Preliminary results have established that the cladding appears to be limited, being fitted to two minor portions of the building and which have no vertical connectivity. The cladding has also been the subject of an independent assessment which concluded that no further action is required. City officers are continuing with the investigation seeking further supportive documentation prior to making a formal determination as to its suitability.

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**Chronology:**

Date	Event
20/08/2020	FRNSW correspondence received regarding premises 327-329 Pitt Street, Sydney
10/9/2020	An inspection of the subject premises was undertaken by a Council officer in the presence of the Building Manager of the building revealed that the isolation issues associated with the Fire Indicator Panel identified by FRNSW had been rectified and the fire hydrant relies on the use of portable relay booster pumps contrary to FRNSW correspondence.



## **FIRE AND RESCUE NSW REPORT:**

References: [BFS20/1651(11680), D20/66208; 2020/375898]

Fire and Rescue NSW conducted an inspection of the subject premises on 28 May 2020 in response to receipt of correspondence in relation to the adequacy of the provision for fire safety.

### Issues

The report from FRNSW detailed the maintenance issues associated with the Fire Indicator Panel.

The report has also detailed the issue of Fire Hydrant Installation in that previous adopted Australian Standards for fire hydrants permitted the use of an internal booster connection for portable relay pumps to provide pressurised water for firefighting operations. FRNSW advise that the use of portable relay pumps no longer suit the operational needs of FRNSW;

### FRNSW Recommendations

FRNSW have made a number of recommendations and request that Council:

1. Inspect the subject premises, address any other deficiencies identified on the premises and take action to have the fire safety issues identified by FRNSW appropriately addressed;
2. Upgrade the fire hydrant system to operate without the need for a portable relay pump to meet the requirements of the current AS2419.1;
3. Advise them in writing of its determination in relation to this matter in accordance with the provisions of Part 8, clause 17(4) of Schedule 5 of the Environmental Planning and Assessment Act 1979.

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## **COUNCIL 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 a site inspection undertaken by Council officer it is recommended that Council exercise its powers to give a notice of intention (NOI) for an Order 2, under Part 2 of Schedule 5 of the Environmental Planning and Assessment Act, 1979 to address the fire safety deficiencies identified by FRNSW and Council's officer.

The issue of a 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 outcomes.

### **Referenced documents:**

No#	Document type	Trim reference
A1.	Council Officer Report	2020/375898

**Trim Reference:** 2020/375898

**CSM reference No#:** 2368880



Unclassified



File Ref. No: BFS20/1651 (11680)  
TRIM Ref. No: D20/66208  
Contact: [REDACTED]

20 August 2020

The General Manager  
City of Sydney Council  
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  
'MERITON SUITES & RIALTO TOWERS'  
327-329 PITT STREET, SYDNEY ("the premises")**

In response to the public health orders issued by the Minister for Health and Medical Research, an inspection of 'the premises' on 28 May 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).

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)

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Fire Safety Compliance Unit

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## COMMENTS

The following items were identified during the inspection:

### 1. Essential Fire Safety Measures

- 1A. Automatic smoke detection and alarm system - The Fire Indicator Panel (FIP) was displaying one (1) fault.

The Hotel Manager advised FRNSW at the time of the inspection that the fault had been investigated and they were awaiting a part in order to rectify the fault.

FRNSW received email correspondence on 29 May 2020 from the Hotel Manager advising that the fire technician had attended 'the premises' to resolve the issue and the FIP was free of all faults and the system was fully operational. A photograph of the FIP was also provided in the email to confirm the automatic smoke detection system was in 'normal' operation.

### 2. Generally

- 2A. Aluminium Composite Panel Cladding - A visual inspection of the external façade has revealed that a combustible material may be installed around the street level awning and also on Level 7. It is understood that Council have previously conducted an investigation of the cladding and determined it to constitute a medium risk with no further action to be taken.

- 2B. Fire Hydrant System – Signage located at the booster assembly, indicated a hydrant relay booster connection is located on Level 34. This was further evident upon examination of the block plan.

In this regard, 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 Fire & Rescue NSW (FRNSW).

FRNSW recommends an upgrade the fire hydrant system, to operate without the need for a portable relay pump, 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 requirements of FRNSW.

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



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FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises' and require item no. 2B of this report be addressed appropriately.

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) [REDACTED]. Please ensure that you refer to file reference BFS20/1651 (11680) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

[REDACTED]

Fire Safety Compliance Unit