

Attachment H

**Inspection Report
477 Pitt Street, Haymarket**

477 Pitt Street Haymarket

CITY OF SYDNEY 



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Notes 11/05/2021

**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 2520976

Officer: Tereza Wickerson

Date: 11 May 2021

Premises: 477 Pitt Street, Haymarket

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) dated 16 April 2021, in relation to the subject premises, with respect to matters of fire safety.

The site contains several buildings comprising of two office towers, one thirty-two storey building known as 'Sydney Central', being the subject of FRNSW's correspondence and a nine storey building. The site also contains three heritage listed buildings identified under the City's Sydney Local Environmental Plan 2012, known as the former "Australian Gaslight Co" (1862), former Fire Engine House (1861) and former Presbyterian Manse (1860).

The thirty-two storey tower building is located on the corner of Pitt Street, Barlow Street and Parker Street in Haymarket NSW and are primarily used as commercial offices.

An inspection of the subject tower building was undertaken by a Council investigation officer in the presence of the building managers. The inspection revealed the building was affected by current approved development works to the upper level offices (Privately Certified, Complying Development Certificate Number 9437, issued on 26 March 2021). Development Consent (D/2020/468) was also issued on 12 November 2020 for internal and external alterations to the building. A Construction Certificate is yet to be obtained, will require the upgrade of the buildings existing fire systems, including the fire hydrant and sprinkler systems.

Currently 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 investigations have revealed that whilst there remains minor fire safety "maintenance and management" works to attend to, repairs to faults identified on fire panels, minor fire seals, obstructions and signage issues were identified. The overall fire safety systems provided within the subject premises are considered adequate in the circumstances, and consistent with their installation standards.

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 owner's fire service contractor, through written instruction from Council.

Council does not intend to issue the owner with a Penalty Infringement Notice with respect to fire safety equipment currently, as the matters relate to refurbishment and routine maintenance.

It is considered that the items identified by FRNSW have been addressed by the issue of a compliance letter.

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

Chronology:

Date	Event
16/04/2021	FRNSW correspondence received regarding premises 'Sydney Central, 477 Pitt Street Haymarket ("the premises")'
17/04/2021	An initial desktop review revealed: <ul style="list-style-type: none">• site containing three Heritage Item buildings and two tower buildings circ. 1988-1990 comprising of 31 storeys and 9 storeys• several development consents and construction certificates issued in relation to internal, external & heritage refurbishment works• the building has a current and compliant fire safety statement, the expiry being 18 September 2021
20/04/2021	An inspection of the subject premises was undertaken by a Council officer identified: <ul style="list-style-type: none">• approved development works being conducted levels to 25- 29• fire panel faults/isolations, not relating to development works were evident• hydrant booster cupboard handle not present, sign repairs required• block plan data for level 15 to be verified• base building fire safety measures noted to be Ordinance 70 standard
30/04/2021	A follow up inspection was conducted, additional areas inspected with current project manager and building manager(s); <ul style="list-style-type: none">• fire panel fault reduced to one fault and mechanical isolation noted• pump room minor fire seal penetrations• one exit light not illuminated ground level meeting room• obstructed hose reel level B1
10/05/2021	Council issued a compliance letter instructing the owner to rectify maintenance issues and an advisory note requiring the Principle Certifiers appointment information for the proposed fire systems upgrades. Council has scheduled progress inspection to follow up on the compliance letter.

FIRE AND RESCUE NSW REPORT:

References: [BFS21/702, D21/25651]

Fire and Rescue NSW conducted an inspection of the subject premises after receiving an enquiry about recent fire control panel and fire brigade monitoring isolations/defects.

Issues The report from FRNSW detailed several issues, noting:

1. Fire Hydrant System - being an older Ordinance 70 and AS2419.1-1994 system which permitted use of an internal booster/ portable relay pump for buildings over 75 m, is no longer suitable to FRNSW's operational needs.

Fire brigade booster door, inaccessible & does not meet current Australian standards AS2419.1-2005

2. Automatic fire sprinkler system – FRNSW were unable to locate Level 15 connection as reference on a Block plan
3. Smoke detection and alarm system - Multiple isolations noted due to refurbishment works, advised by management multiple development applications applicable.

FRNSW Recommendations.

FRNSW recommended that Council inspect and address the items identified and any other deficiencies at the premises.

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 Council's site inspection it is recommended that the owners of the building continue to comply with the written fire safety compliance instructions as issued by Council officers to rectify the identified fire safety deficiencies noted by FRNSW.

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 outcomes.

Referenced documents:

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2021/206586-01

Trim Reference: 2021/206586

CSM reference No#: 2520976

Unclassified



File Ref. No: BFS21/702 (14774)
TRIM Ref. No: D21/25651
Contact: [REDACTED]

16 April 2021

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
SYDNEY CENTRAL
477 PITT 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 stated that:

- *Hydrant and sprinkler booster access doors labelled however no key or handle to same, must be accessed and opened from the inside via door 2m to left hand side of boosters. This door is unmarked.*
- *Suggest access door is labelled and sign installed above boosters to instruct that booster doors to be opened from inside. Alternatively, handles and locks to be installed so that boosters can be accessed from the outside.*

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 8 March 2021 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.

Fire and Rescue NSW

ABN 12 593 473 110

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

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Unclassified

- 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 during the inspection:

1. Essential Fire Safety Measures

1A. Fire Hydrant System

- A. An internal booster connection was located on Level 19 of the building.

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.

- B. The doors providing access to the fire brigade booster connections are unlatched from inside the sprinkler valve room. Handles and locking mechanisms are not installed to the intent of Clause 7.9.1 of AS 2419.1-2005.

1B. Automatic Fire Sprinkler System

- A. The fire sprinkler block plan detailed that an internal fire brigade booster connection was installed on Level 15 of the building. FRNSW were unable to locate the booster connection.

1C. Smoke Detection and Alarm Systems

- A. Multiple zones of the Fire Detection Control and Indicating Equipment (FDCIE) were isolated at the inspection as a result of refurbishment works being undertaken on multiple levels. An isolation register was present in the fire control room. Management advised that multiple development applications had been made for the premises.

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. 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.
- c. Survey the automatic fire sprinkler system to determine if an internal fire brigade booster is installed in the sprinkler system.
- d. Upgrade the fire sprinkler system, to operate without the need for a portable relay pump if the survey reveals an internal booster elsewhere in the system.

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 [REDACTED]. Please ensure that you refer to file reference BFS21/702 (14774) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

[REDACTED]

[REDACTED]
Fire Safety Compliance Unit