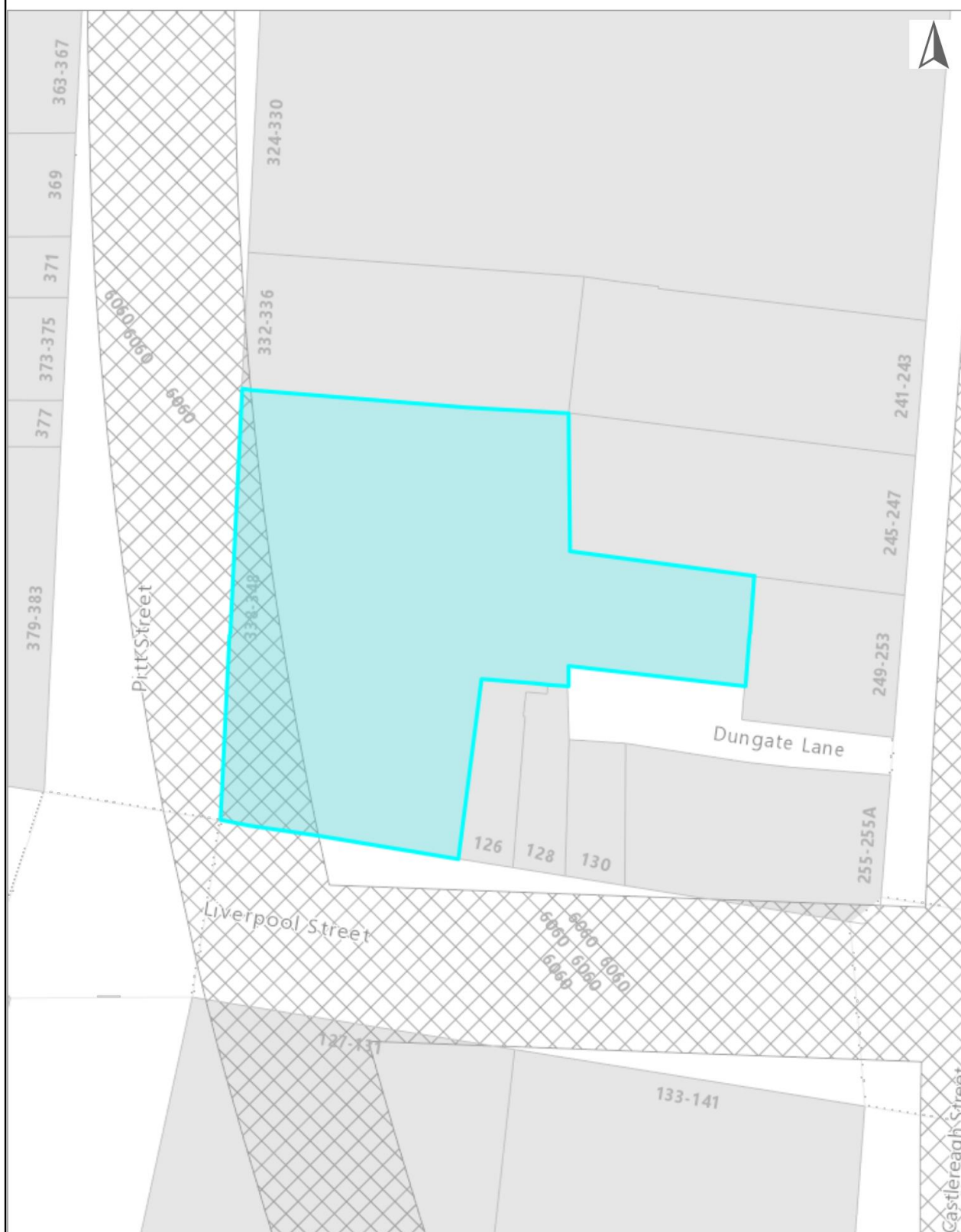


Attachment E

**Inspection Report
338-348 Pitt Street, Sydney**

338-348 Pitt Street Sydney



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

File: CSM 2520209 **Officer:** Hieu Van Luu **Date:** 22 April 2021

Premises: 338-348 Pitt Street, Sydney

Executive Summary

Council received correspondence dated 8 April 2021 from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises with respect to matters of fire safety.

The site is an irregular shaped allotment, located on the north eastern corner of Pitt Street and Liverpool Street. It has rear access to Dungate Lane. A 20-storey commercial building is contained within the site, with ground floor retail and offices above.

FRNSW 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 for internal booster relay connections for the hydrant system. The subject buildings fire hydrant system currently relies upon the use of portable relay pumps.

An inspection of the premises undertaken by a Council investigation officer in the presence of the building manager revealed that while there were no significant fire safety issues occurring within the building, the buildings fire hydrant system relies on the use of portable relay booster pumps by FRNSW. FRNSW have advised that the use of portable relay booster pumps no longer suit the operational needs of FRNSW.

Therefore, the premises are deficient in fire safety and egress provisions when considering the comments provided from FRNSW, that the fire hydrant system is inadequate as it relies on the use of portable relay booster pumps.

Accordingly, Council investigations have revealed that the premises are deficient in the provisions for fire safety and that an Order 2, under Part 2 of Schedule 5 of the Environmental Planning and Assessment Act, 1979 is required to be issued so as to ensure and promote adequate facilities for fire safety/fire safety awareness.

Observation of the external features of the building identified potential combustible composite cladding on the awning of the building. The City's cladding compliance team has been advised to investigate and will establish the risk of fire spread via the facade of the building and identify and deal with any external hazardous materials.

Chronology:

Date	Event
15/04/2021	FRNSW correspondence received regarding premises 338-348 Pitt Street, Sydney
22/04/2021	An inspection of the subject premises was undertaken by a Council officer in the presence of the Building Manager of the building revealed the fire hydrant relies on the use of portable relay booster pumps contrary to FRNSW correspondence.

FIRE AND RESCUE NSW REPORT:

References: [BFS21/509(14591), D21/24063; 2021/173300]

Fire and Rescue NSW conducted an inspection of the subject premises on 8 March 2021 in response to receipt of correspondence in relation to the adequacy of the provision for fire safety.

Issues

The report details 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 within their report. In general, FRNSW have requested 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 clause 17(4) of Schedule 5 of the Environmental Planning and Assessment Act 1979.

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)
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As a result of council's site inspection 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 building 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	2021/173300

Trim Reference: 2021/173300

CSM reference No#: 2520209

Unclassified



File Ref. No: BFS21/509 (14591)
TRIM Ref. No: D21/24063
Contact: [REDACTED]

8 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
'STATE STREET CENTRE'
338 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 system AS 2419.1-1994. FRNSW required to transport pump to building. Internal booster Level 13.*

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.
- 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

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

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 is installed on Level 13 for the connection of a portable pumpset to conduct firefighting operations.

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. 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.

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 BFS21/509 (14591) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]