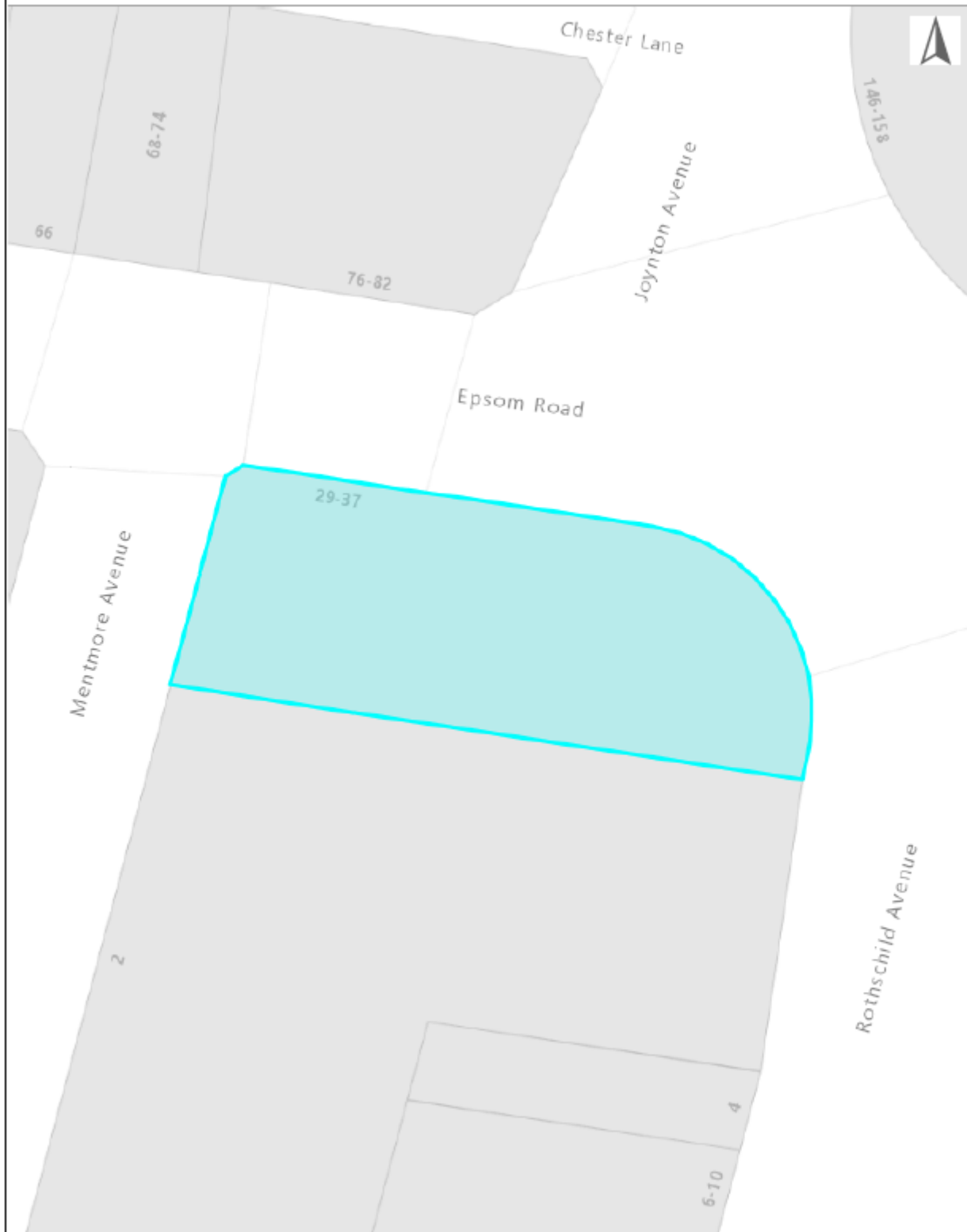


Attachment C

**Inspection Report
29-37 Epsom Road, Rosebery**



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Notes

8/06/2022

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 2777958

Officer: D. McLennan

Date: 14 June 2022

Premises: 29-37 Epsom Road Rosebery

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on 6 May 2022 with respect to matters of fire safety.

FRNSW's inspection resulted from the 'Project Remediate' program being undertaken by the NSW Department of Customer Service, which is a three-year program to help remove combustible cladding on residential apartment buildings throughout NSW.

The premises consist of a strata-titled seven storey building which includes basement carpark, ground floor shops and five levels of residential units above.

An inspection of the premises undertaken by a Council investigation officer revealed that the premises are deficient in fire safety and egress provisions in the following areas:

- (i) Inadequate fire detection and alarm systems;
- (ii) A lack of adequate facilities for firefighting personnel (*FRNSW operational concerns regarding fire hydrant system*)
- (ii) Inadequate maintenance including: deficient emergency lighting, exit signage and fire doors
- (iii) Lack of suitable fire resisting construction to prevent the spread of fire within fire exit passageways (*damage to fire resistive construction within fire exit*)
- (iv) Building lacking safe and dignified emergency egress for occupants to safely evacuate the building in the event of a fire (*fire doors encroaching onto minimum required egress width within stairway*)
- (v) Poor fire safety management systems including annual fire safety statement (AFSS) overdue, storage of items in fire hydrant pump room (obstructions) and unapproved storage enclosures in basement carpark

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

The subject premises is fitted with external combustible cladding. The City's cladding compliance team have issued a fire safety notice on 5 March 2021 requiring cladding removal and replacement. The Owners' Corporation have registered with the NSW Government's Project Remediate scheme and are currently progressing through the respective investigative, remediation design and acceptance stages of the said scheme prior to undertaking any remediation works. City officers have instigated proper site precautionary interim fire safety measures to assist in safeguarding occupants whilst cladding removal and replacement works are scheduled. The interim measures include raising site cladding risk awareness with all building occupants (and emergency services personnel); the removal of potential fire hazards/processes from critical potential fire start areas; the introduction of site management procedure plans and or temporary

rules to carefully manage hot/building maintenance works and the inclusion and the implementation of any fire safety and building services expert recommendations.

Chronology:

Date	Event
06/05/2022	FRNSW correspondence received regarding premises "Coda" building at 29-37 Epsom Road, Rosebery. The correspondence included a fire safety Order issued by FRNSW.
08/06/2022	<p>An inspection of the subject premises was undertaken by a Council officer where the following items were noted:</p> <ul style="list-style-type: none"> - Fire safety measures were not being adequately maintained including, exit signs, emergency lighting, fire doors - Deficiencies in fire safety egress including; fire doors encroaching onto minimum required width within egress stairway, damage to fire resistive construction in fire isolated exits, and lack of non-slip finish to stair treads - Poor fire safety management systems including AFSS overdue, storage of items in fire hydrant pump room (obstructions) and unapproved storage enclosures in basement carpark. Council officer noted that the buildings fire indicator Panel was not displaying any faults or isolations. <p>Issues raised by FRNSW and responses to those issues, are summarised in the following table.</p>
14/06/2022	A Notice of proposed fire safety Order was issued [File Reference FIRE/2022/35]

FIRE AND RESCUE NSW REPORT:

References: [BFS22/1535 (20362); 2022/321937-01]

Fire and Rescue NSW conducted an inspection of the subject premises on 30 March 2022 in response to the Project Remediate programme being undertaken by the NSW Department of Customer Service, to remove high risk combustible cladding on residential apartment buildings in NSW.

Issues The report from FRNSW detailed the following issues:

Issue	City response
Fire hydrant pump set was not operational. FRNSW issued a fire safety Order and are seeking compliance. FRNSW do not consider Council action is required for this issue	No action is required by the City
<p>Fire Hydrant Pumproom:</p> <ul style="list-style-type: none"> • Door to pumproom was fitted with a lock incompatible with FRNSW access key • Building materials and products were being stored within the hydrant pumproom 	Addressed in the Notice of intended fire safety Order, requiring suitable access and removal of stored items to the existing Fire Hydrant Pumproom
<p>Fire hydrant system did not comply with the standard it was designed and installed including:</p> <ul style="list-style-type: none"> • The hydrant booster assembly was located within 10m from a high voltage electrical substation • Lack of suitable signage, pressure gauges and couplings compatible with FRNSW firefighting hose connections 	Addressed in the Notice of intended fire safety Order, to require partial upgrading of fire hydrant system

Non fire related equipment was installed within the fire hose reel cupboard on level one, obstructing access and operation of the fire hose reel and hydrant valve within	Addressed in the Notice of intended fire safety Order, to require removal of non-fire related equipment installed within the fire hose reel cupboard on level one
Multiple fire doors throughout the premises were chocked in the open position or prevented from returning to the fully closed position by objects	No action is required. Council's inspection did not show any fire doors that were chocked open or were obstructed
Automatic smoke detection and alarm system: <ul style="list-style-type: none"> Smoke alarms or detectors are not provided to the enclosed car park levels During FRNSW's inspection It was unclear if smoke detectors located in the retail tenancies on the ground floor were linked to sound through to all occupied areas of the building. FRNSW noted that a building occupant warning system did not appear to be installed within the building 	Addressed in the Notice of intended fire safety Order, to require upgrading of the existing automatic smoke detection and alarm system & provision of a building occupant warning system throughout the premises

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

FRNSW Recommendations

FRNSW have made two recommendations within their report. In general, FRNSW have requested that Council:

1. Inspect the subject premises and take action to have the identified fire safety issues appropriately addressed;
2. 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:

Note issue of a fire safety Order by delegated authority (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 a Council investigation officer it was determined that concern for public safety required the giving of a notice of intention (NOI) for a fire safety order to be issued under Part 2 of Schedule 5 of the Environmental Planning and Assessment Act, 1979 without any further delay.

It is recommended that Council note the exercise of powers by Council's investigation officer in issuing a NOI to give a fire safety order in accordance with the above Act prior to the resolution of Council.

The issue of a Notice of Intention to Give an Order (NOI) prior to the resolution of Council will help to accelerate compliance response from building owners in rectifying fire safety deficiencies and will assist to ensure that occupants are not exposed to unnecessary fire safety risks.

That the Commissioner of FRNSW be advised of Council's actions and determination. This NOI is in addition to the existing Order to remove cladding.

Referenced/Attached Documents:

2022/321937-01	FRNSW S9.32 report dated 6 May 2022
2022/321937-02	Copy of proposed fire safety order dated 14 June 2022

Trim Reference: 2022/321937

CSM reference No#: 2777958

Unclassified



File Ref. No: BFS22/1535 (20362)
TRIM Ref. No: D22/34788
Contact: [REDACTED]

6 May 2022

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
'CODA'
29-37 EPSOM ROAD, ROSEBERY ("the premises")**

In response to the Project Remediate programme being undertaken by the NSW Department of Customer Service, to remove high-risk combustible cladding on residential apartment buildings in NSW, an inspection of 'the premises' on 30 March 2022 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW), pursuant to the provisions of Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

In this instance, the inspection revealed fire safety concerns that may require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

In this regard, 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.

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
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www.fire.nsw.gov.au

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COMMENTS

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items outline concerns in general terms, deviations from the fire safety provisions prescribed in Section 9.32(1)(b) of the EP&A Act and Clause 112 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021).

The following items were identified as concerns at the time of the inspection:

1. Essential Fire Safety Measures

1A. Fire Hydrant System:

- A. The diesel pumpset for the Fire Hydrant System did not appear to be capable of operating to the standard of performance from when it was first designed and installed, contrary to the requirements of Clause 81 of the EPAR 2021. The following issues were identified:
 - i. The Diesel Pump Controller associated with the Fire Hydrant System was displaying an 'Out of Service' label stating, 'Do Not Use or Operate – Suction Coupling Failure - Supply Isolated' and the Auto Start function was isolated.
 - ii. The last entry in the 'Site Attendance' logbook dated 9 March 2022, noted "Pump Out of Service - Pending Repairs." The same defect was noted since 5 August 2021.
- B. The pumproom:
 - i. The door providing access to the pump room was not fitted with a lock compatible with FRNSW access key.
 - ii. Building materials and products were being stored within the hydrant pump room.
- C. The hydrant booster assembly:
 - i. The hydrant booster assembly is located in a position less than 10m from a high voltage electrical substation, contrary to the requirements of Clause 7.3(f) of AS2419.1-2005.
- D. A pressure gauge was not provided at the hydraulically most disadvantaged fire hydrant, contrary to the requirements of Clause 9.3.2(b) of AS2419.1-2005.
- E. The doors to the enclosures containing the hydrant valves (and fire hose reels), located along the open balconies on the residential levels, were not marked with the words 'Fire Hydrant', contrary to the requirements of Clause 3.6.2 of AS2419.1-2005.

- F. Storz couplings compatible with FRNSW firefighting hose connections were not provided to all fire hydrant valves throughout the premises, contrary to the requirements of Clauses 3.1 and 8.5.11.1 of AS2419.1–2005, Clauses 1.2 and 3.4 of AS2419.2–2009 and 'FRNSW Fire safety guideline, Technical information – FRNSW compatible Storz hose connections – Document no. D15/45534 – Version 09 – Issued 10 January 2019'. In this regard, Storz couplings were not provided to the feed/suction connections at the booster assembly and multiple hydrant valves throughout the residential levels.

1B. Fire Hose Reels:

- A. Non-fire equipment was installed within the fire hose cupboard on Level 1, obstructing access and operation of the FHR and hydrant valve within, contrary to Clause 10.4.4 of AS2441–2005.

1C. Fire doors:

- A. Multiple fire doors throughout the premises were chocked in the open position or prevented from returning to the fully closed position by objects, contrary to the requirements of Clause C3.4, Clause C3.8, Specification C3.4 of the NCC and AS1905.1.

FRNSW is therefore of the opinion that the fire safety provisions prescribed for the purposes of 9.32(1)(b) of the EP&A Act, have not been complied with.

ADDITIONAL COMMENTS

In addition to the items identified above, relating to the Fire Safety Provisions prescribed by Clause 112 of the EPAR 2021, the following items were also identified as concerns at the time of the inspection and it would be at council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

2. Generally:

2A. Automatic Smoke Detection and Alarm System:

- A. The building appears to be provided with a combined smoke alarm and smoke detection system, consisting of AS3786 smoke alarms within the Sole Occupancy Units (SOU's) and AS1670 smoke detectors throughout the retail tenancies on the ground floor, in accordance with Clause E2.2, Table E2.2a and Specification E2.2a of the NCC.

Notwithstanding this, the following issues were identified:

- i. Smoke alarms or detectors are not provided to the common areas/public corridors and to 'all other internal public spaces',

such as the enclosed carpark levels, contrary to the requirements of Clause 3(b) or Clause 4(b) of Specification E2.2a of the NCC.

- ii. Building Occupant Warning System (BOWS) - Smoke detectors in the retail tenancies on the ground floor are required to activate a building occupant warning system to sound through all occupied areas in the building in accordance with the requirements of Clause 7 of Specification E2.2a of the NCC. In this regard, a visual inspection of the building did not reveal any occupant warning system and it is unclear whether a smoke detector operating in the retail tenancies on the ground floor level will sound through all occupied areas of the building including the residential SOU's or the carpark level.

PROPOSED FIRE SAFETY ORDER NO. 1 AND FIRE SAFETY ORDER NO. 1

The inspecting Authorised Fire Officers' of FRNSW issued a Notice of Intention to give a Fire Safety Order No. 1, dated 30 March 2022 ('the Proposed Order'), in accordance with the provisions of Section 9.34 of the EP&A Act, to have item no. 1A.A of this report rectified.

Fire & Rescue NSW (FRNSW) received representations on 5 April 2022 in response to 'the Proposed Order'. With consideration being given to the representations, FRNSW determined to issue a Fire Safety Order No. 1, dated 8 April 2022 ('the Order'), with modifications made to 'the Proposed Order', in accordance with the provisions of Schedule 5, Part 7 (Section 14 and Section 15) of the EP&A Act, to have item no. 1A.A of this report rectified.

In accordance with the provisions of Schedule 5, Part 6, Section 12 of the EP&A Act, copies of 'the Proposed Order' and 'the Order', are attached for your information.

In this regard, FRNSW does not consider Council is required to take action in relation to item no. 1A.A of this report.

FRNSW will conduct further inspections of the building to assess compliance with the terms of 'the Order' and will advise Council accordingly.

RE-INSPECTION

Pursuant to the provisions of Section 9.32(1)(b) of the EP&A Act and Clause 112 of the EPAR 2021, an inspection of 'the premises' on 3 May 2022 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

At the time of the inspection, the terms of 'the order' issued on 'the premises' were compliant. Please be advised that 'the order' is not an exhaustive list of non-compliances, it is at Council's discretion to inspect and address any other deficiencies identified on 'the premises'.

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address item no. 1 of this report.
- b. Give consideration to the other deficiencies identified on 'the premises' identified in item no. 2 of this report.

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 BFS22/1535 (20362) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

[REDACTED]

Fire Safety Compliance Unit

Attachment: [Appendix 1 – Proposed Fire Safety Order No. 1 dated 30/03/2022]
[Appendix 2 – Fire Safety Order No. 1 dated 8/04/2022]

Unclassified

Appendix 1 – Notice of Intention - Proposed Fire Safety Order No.1



Unclassified

File Ref. No: BFS22/1535 (20362)
TRIM Ref. No: D22/24595
Contact: [REDACTED]

30 March 2022

The Owners of Strata Plan No. 79951
C/- Sydney Strata Specialists
PO Box 7421
BONDI BEACH NSW 2026

Dear Owners of Strata No. 79951

Re: **NOTICE OF INTENTION – PROPOSED FIRE SAFETY ORDER**
'CODA'
29-37 EPSOM ROAD, ROSEBERY ("the premises")

An inspection of the premises was conducted by Officers from the Fire Safety Compliance Unit of Fire & Rescue NSW (FRNSW) on 30 March 2022. The inspection identified fire safety matters that were of concern to FRNSW during the inspection.

Accordingly, FRNSW hereby gives Notice of Intention to give a Fire Safety Order (Order no. 1), in accordance with the provisions of Section 9.34 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act) and pursuant to Schedule 5, Part 6, Section 8 (owner) of the EP&A Act. A copy of the proposed order is attached, which includes the terms of the proposed Order and the period proposed within which the Order is to be complied with.

You may make representation to FRNSW as to why the proposed Order should not be given or as to the terms of or the period for compliance with the Order, in accordance with the provisions of Schedule 5, Part 7, Section 13 of the EP&A Act. Representations are to be made in writing and should be received by FRNSW by no later than close of business 6 April 2022.

After hearing and considering any such representations, in accordance with the provisions of Schedule 5, Part 7 (Section 14 and Section 15) of the EP&A Act, FRNSW may determine:

- to give an Order in accordance with the Proposed Order;
- to give an Order in accordance with modifications made to the Proposed Order;
- not to give an Order.

Fire and Rescue NSW	ABN 12 593 473 110	www.fire.nsw.gov.au
Community Safety Directorate Fire Safety Compliance Unit	1 Amerina Ave Greenacre NSW 2190	T (02) 9742 7434 F (02) 9742 7843
www.fire.nsw.gov.au		Page 1 of 4

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A report of the inspection will be forwarded to City of Sydney Council, in accordance with the provisions of Sections 9.32, Schedule 5, Part 8 (Section 16 and Section 17) 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 BFS22/1308 (20362) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

[REDACTED]

Fire Safety Compliance Unit

[REDACTED]

Unclassified

Unclassified



Proposed Fire Safety Order ORDER No. 1

Under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*
Part 8 Implementation and Enforcement – Division 8.3 Development Control Orders
Fire Safety Orders in accordance with the table to Part 2 - Schedule 5.
Intend to give an Order in accordance with Section 8.34(1)(b)

I,



904279
(number)

being an authorised Fire Officer within the meaning of Schedule 5, Part 8, Section 16 of the *Environmental Planning and Assessment Act 1979*, and duly authorised for the purpose, hereby order:

The Owners of Strata Plan No. 79951
(name of person whom Order is served)

Owner
(position i.e. owner, building manager)

with respect to the premise

'CODA'
29-37 EPSOM ROAD, ROSEBERY ("the premises")
(name/address of premises to which Order is served)

to do, or refrain from doing, the following things:

1. Ensure the Fire Hydrant System installed in 'the premises' is fully operational, by:
 - a. Repairing all faults to the Fire Hydrant diesel pumpset.

The terms of the Order are to be complied with:

By no later than 14 days from the date of the order.

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 7843
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The reasons for the issue of this Order are:

- a. At the time of the inspection, the Diesel Pump Controller associated with the Fire Hydrant System was displaying an 'Out of Service' label stating, 'Do Not Use or Operate – Suction Coupling Failure - Supply Isolated' and the Auto Start function was isolated.
- b. The last entry in the 'Site Attendance' logbook dated 9 March 2022, noted "Pump Out of Service - Pending Repairs." The same defect was noted since 5 August 2021.
- c. To ensure that the Fire Hydrant System is capable to operating in accordance with the standard of performance it was designed and installed to.
- d. To ensure compliance with the requirements of Clause 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
- e. To do, or refrain from doing such things that are specified in the Order, so as to ensure or promote adequate fire safety or fire safety awareness.

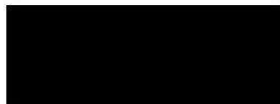
Appeals

Pursuant to Section 8.18 of the Environmental Planning & Assessment Act 1979 (EP&A Act), there is no right of appeal to the Court against this Order, other than an order that prevents a person using or entering premises.

Non-Compliance with the Order

Failure to comply with this Order may result in further Orders and/or fines being issued. Substantial penalties may be imposed under Section 9.37 of the EP&A Act for failure to comply with an Order.

NOTE: Representations are to be made in writing and should be received by FRNSW by no later than close of business **6 April 2022**.



Fire Safety Compliance Unit

This Proposed Fire Safety Order No. 1 was sent by mail and email on 30 March 2022.

Unclassified

Appendix 2 – Fire Safety Order No.1

Unclassified



File Ref. No: BFS22/1535 (20362)
TRIM Ref. No: D22/27849
Contact: [REDACTED]

8 April 2022

The Owners of Strata Plan No. 79951
C/- Sydney Strata Specialists
PO Box 7421
BONDI BEACH NSW 2026

Dear Owners of Strata No. 79951

Re: FIRE SAFETY ORDER – ORDER NO. 1
'CODA'
29-37 EPSOM ROAD, ROSEBERY ("the premises")

Fire & Rescue NSW (FRNSW) has received your email dated 5 April 2022 in response to the Notice of Intention to issue a Fire Safety Order, dated 30 March 2022. As a result of your representations, FRNSW has determined to issue the Fire Safety Order with consideration being given to your representations, in accordance with the provisions of Schedule 5, Part 7 (Section 14 and Section 15) of the *Environmental Planning & Assessment Act 1979 (EP&A Act)*.

Accordingly, please find attached a copy of the FRNSW Fire Safety Order (Order No. 1) dated 8 April 2022, issued in accordance with the provisions of Section 9.34 of the EP&A Act. A copy of the Order will be forwarded to City of Sydney Council, in accordance with the provisions of Schedule 5, Part 6, Section 12 of the EP&A Act, where further inspections will be conducted by FRNSW to assess compliance with the terms of the Order.

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 BFS22/1535 (20362) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]
Fire Safety Compliance Unit

[REDACTED]

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 7843
www.fire.nsw.gov.au		Page 1 of 3

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Fire Safety Order ORDER No. 1

Under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*
Part 9 Implementation and Enforcement – Division 9.3 Development Control
Orders
Fire Safety Orders in accordance with the table to Part 2 - Schedule 5.
Give an Order in accordance with Section 9.34(1)(b)

I,



904279
(number)

being an authorised Fire Officer within the meaning of Schedule 5, Part 8, Section 16 of the *Environmental Planning and Assessment Act 1979*, and duly authorised for the purpose, hereby order you

The Owners of Strata Plan No. 79951
(name of person whom Order is served)

Owner
(position i.e. owner, building manager)

with respect to the premise

'CODA'
29-37 EPSOM ROAD, ROSEBERY ("the premises")
(name/address of premises to which Order is served)

to do, or refrain from doing, the following things:

1. Ensure the Fire Hydrant System installed in 'the premises' is fully operational, by:
 - a. Repairing all faults to the Fire Hydrant diesel pumpset.

The reasons for the issue of this Order are:

- a. At the time of the inspection on 30 March 2022, the Diesel Pump Controller associated with the Fire Hydrant System was displaying an 'Out of Service' label stating, 'Do Not Use or Operate – Suction Coupling Failure - Supply Isolated' and the Auto Start function was isolated.

Fire and Rescue NSW

ABN 12 593 473 110

www.fire.nsw.gov.au

Community Safety Directorate
Fire Safety Compliance Unit

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- b. The last entry in the 'Site Attendance' logbook dated 9 March 2022, noted "Pump Out of Service - Pending Repairs." The same defect was noted since 5 August 2021.
- c. To ensure that the Fire Hydrant System is capable to operating in accordance with the standard of performance it was designed and installed to.
- d. To ensure compliance with the requirements of Clause 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
- e. To do, or refrain from doing such things that are specified in the Order, so as to ensure or promote adequate fire safety or fire safety awareness.

The terms of the Order are to be complied with:

By no later than close of business on the **29 April 2022**.

Appeals

Pursuant to Section 8.18 of the Environmental Planning & Assessment Act 1979 (EP&A Act), there is no right of appeal to the Court against this Order, other than an order that prevents a person using or entering premises.

Non-Compliance with the Order

Failure to comply with this Order may result in further Orders and/or fines being issued. Substantial penalties may also be imposed under Section 9.37 of the EP&A Act for failure to comply with an Order.



This Fire Safety Order No. 1 was sent by mail and email on 8 April 2022.