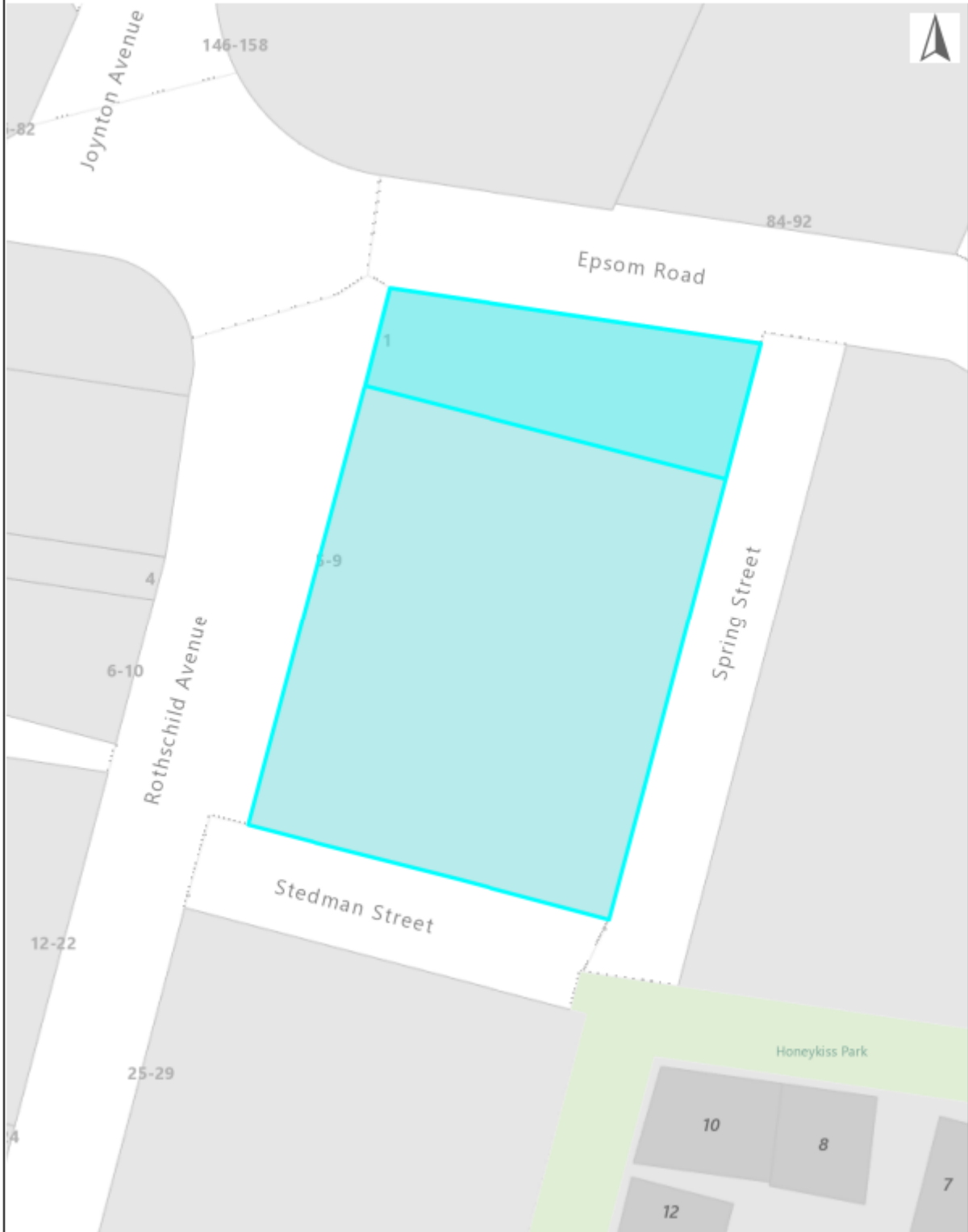


# **Attachment C**

**Inspection Report  
1 and 5-9 Rothschild Avenue, Rosebery**

1, 5-9 Rothschild Avenue Rosebery



© City of Sydney Council 2022. All Rights Reserved.  
This map has been compiled from various sources and the publisher and/or contributors accept no responsibility for any injury, loss or damage arising from the use, error or omissions therein. While all care is taken to ensure a high degree of accuracy, users are invited to notify Council's Spatial Services of any map discrepancies.  
No part of this map may be reproduced without written permission.



Notes

20/07/2022

**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 2807819

**Officer:** Andrew Porter

**Date:** 4 August 2022

**Premises:** 1 & 5-9 Rothschild Avenue, Rosebery

---

**Executive Summary:**

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on 17 June 2022 and 13 July 2022 with respect to matters of fire safety.

The premises known as 'Valentino Place' consists of 3 mixed use buildings. The buildings are a mix of 6 & 7 storeys used for residential apartments, restaurant and a childcare centre. All of the buildings are constructed over a common basement carpark.

The 2 basement levels are approved for carparking, the ground floor approved for a range of uses including residential apartments, restaurant, and childcare centre. The second and subsequent floors above ground level are approved for residential apartments.

Inspections of the premises undertaken by a Council investigation officer in the presence of the building manager and appointed Fire Services Contractor revealed that the premises are deficient in fire safety and egress provisions in the following areas:

- (i) Inadequate fire detection and alarm systems.
- (ii) Poor fire safety management systems (signs/notices/not displayed etc.) in place,
- (iii) Non-compliant handrails within fire exit stairs.

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 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 façade of the building. The identified cladding is under investigation by the City's cladding team. This investigation has revealed the cladding poses sufficient risk which warrants an audit. The City has issued a Notice of Intention to Give an Order (NOI) requiring an audit of the cladding. Based upon the results of this audit and the City's assessment, further action may be required.

## Chronology:

Date	Event
20/06/2022	FRNSW correspondence received regarding premises 'Valentino Place' 1, 5 & 9 Rothschild Avenue, 2 & 4 Stedman Street, and 2,4 & 6 Spring Street, Rosebery. Premises known by Council as 1, 5-9 Rothschild Avenue Rosebery.
08/07/2022	<p>An inspection of the subject premises was undertaken by a Council officer and revealed the following fire safety issues at the time of inspection.</p> <ul style="list-style-type: none"> <li>- 2 smoke doors located within level 3 (ground) and level 6 of 1 Rothschild Avenue being held open with rubber door wedges contrary to the requirements of the National Construction Code. The wedges were removed by Council's Officer at the time of inspection and the building manager was advised that it is an offence to obstruct the operation of the smoke doors.</li> <li>- The building is lacking in smoke hazard management requirements as it was found during testing alongside the building fire safety contractor that an activation of the sprinkler system and smoke/thermal detection system within the building pool area, childcare centre and restaurant would not activate the building occupant warning system throughout the residential areas of the building as required.</li> <li>- There is no zone block plan located adjacent to the fire indicator and control panel as required.</li> <li>- The strobe light indicating the location of the building fire indicator and control panel is setback within the building façade and not visible to attending FRNSW personnel on the main approach to the building.</li> <li>- The buildings hydrant and sprinkler booster enclosures are not provided with the required signage. The following signage is required to be installed within the hydrant and sprinkler booster enclosure. Hydrant boost and test pressure signage, signage indicating the sprinkler booster assembly being located within the enclosure and a sprinkler plan of risk (block plan).</li> <li>- An exit sign was not illuminated as required with in the level 2 carpark adjacent to 5 Rothschild Avenue lobby.</li> <li>- The handrails within the fire escape stairs in all buildings are not continuous between stair flight landings as required by the national construction code.</li> <li>- Inspection of the sprinkler valve room revealed there is a stock of spare sprinkler heads provided at the sprinkler control valves, however a review by the buildings fire contractor will be required to determine if the correct amount and type of spares is compliant to the standard of installation.</li> </ul> <p>The building owners completed rectification of some fire safety issues raised by FRNSW in their correspondence as FRNSW had issued a fire safety order requiring the following.</p> <ul style="list-style-type: none"> <li>- The building fire indicator panel to be cleared of faults and isolations, inspection revealed the fire indicator panel to be clear of fault and isolations.</li> <li>- The local smoke alarm control panels to be repaired and operational, inspection revealed that the smoke alarm control panels have been repaired and are now working as required.</li> <li>- The missing smoke alarm outside of the access door to the pool area to be reinstated, the inspection revealed that this smoke alarm has been reinstated as required.</li> </ul>
20/07/2022	Onsite inspection carried out with the buildings fire safety maintenance contractor to witness testing of the building occupant warning system. During the test it was apparent that there was a non-compliance with the system in that the occupant warning system did not sound throughout all occupied areas upon activation of the required carpark sprinkler system, childcare smoke detection and heat/thermal detectors located within the pool area.
20/07/2022	Prepared and sent a corrective action letter, requiring the building owners to address all relevant maintenance/non-compliant issues to ensure that fire safety measures are being maintained to the required standard of performance.

22/07/2022	Received correspondence from FRNSW advising that the terms of their fire safety order issued on 12 May 2022 had been complied with and the order is now completed.
03/08/2022	<p>Follow up inspection carried out. Noted the following issues remain outstanding within the building and will require the issue of a fire safety order to suitably address those issues of non-compliance.</p> <ul style="list-style-type: none"> <li>- It is unknown whether the building occupant warning system sounds within the childcare centre upon activation of the residential area smoke alarm system, the carpark sprinkler system or activation of heat/thermal detectors within the swimming pool/gym area as it could not be tested without the fire service contractor.</li> <li>- Regulatory signage required for the smoke detection and alarm system, sprinkler system and hydrant system has not been installed.</li> <li>- The inspection identified that one exit sign was not illuminated in the level 2 car park.</li> <li>- Smoke doors within 1 Rothschild Avenue building 'C' do not have smoke seals as required to prevent the passage of smoke through the door.</li> <li>- Handrails within the fire isolated stairs throughout the building do not comply with the NCC as they are not continuous (without break in handhold) along stair flights and landings,.</li> </ul>
04/08/2022	Follow up telephone call with the buildings fire service contractor. Issues with integration of fire detection and alarm systems have been resolved, however could not confirm that the childcare centre fire detection system would on activation sound the building occupant warning system throughout other areas of the building.
17/8/2022	Notice of Intention to issue a Fire Safety Order issued.

---

**FIRE AND RESCUE NSW REPORT:**

References: [BFS22/1308 (20364); 2022/387415-01]

Fire and Rescue NSW conducted an inspection of the subject premises on 3 May 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 several issues:

Issue	City response
<p>The automatic fire detection and alarm system and building occupant warning system did not appear to be capable of operating to the standard of performance from when it was first designed and installed for the following reasons;</p> <ul style="list-style-type: none"> <li>A. Fire indicator panel was displaying 3x isolations and 119 faults.</li> <li>B. The local smoke alarm control panels were all isolated and without power supply.</li> <li>C. A smoke alarm was missing from it's installed location outside the door accessing the pool area.</li> <li>D. A zone block plan is not provided at the fire indicator panel.</li> <li>E. The red strobe to indicate the location of the fire indicator panel and control equipment cannot be seen from the main building approach as it is set back into the building façade.</li> <li>F. Smoke alarms or detectors are not provided to 'all other internal public spaces' such as garbage rooms and the electrical service rooms on the residential levels.</li> <li>G. It is unclear whether the smoke alarms are interconnected to provide the required building occupant warning system to sound through all occupied areas in the building.</li> </ul>	<p>The City has carried out two inspections of the premises and concluded the following;</p> <ul style="list-style-type: none"> <li>A. The fire indicator panel has been cleared of all faults and isolations as required by a Fire Safety Order issued to the building owners by FRNSW on 12 May 2022.</li> <li>B. The local smoke alarm control panels have been repaired and are now operating as required by a Fire Safety Order issued to the building owners by FRNSW on 12 May 2022.</li> <li>C. The smoke alarm missing from its installed location has been replaced as required by a Fire Safety Order issued to the building owners by FRNSW on 12 May 2022.</li> <li>D. The owners of the building have been sent a corrective action letter requiring them to instate the required zone block plan at the fire indicator panel. A follow up inspection on 3 August 2022 revealed the zone block plan has yet to be installed. A fire safety order will need to be issued to ensure the zone block plan is installed as required.</li> <li>E. The owners of the building were given written instructions on 20 July 2022 directing them to relocate the red strobe which indicates the location of the fire indicating and control panel to a location in compliance with the standard of performance required. A follow up inspection on 3 August 2022 revealed red strobe light has not been relocated as required. A fire safety order will be issued to ensure the red strobe light is moved to the required location.</li> <li>F. It has been determined after review of the National Construction Code 'NCC' requirements that smoke alarms and or detectors are not required in these other locations suggested by FRNSW. The owners of the building were given written instructions on 20 July 2022 directing them to bring the system into compliance with the required standard of performance. Discussions with the building fire service contractor by telephone on 4 August 2022 revealed the issues with the building occupant warning system have in part been resolved. The contractor could not confirm if activation of the smoke detection system within the childcare centre would sound the building occupant warning system in other areas of the building as required.</li> </ul>

	<p>A notice of intention of fire safety order has been issued to ensure the building occupant warning system complies with the requirements of the NCC. In addition to the issue of the fire safety order Council's investigation officer will be carrying out additional inspections to ensure the building occupant warning system issues are resolved promptly.</p>
<p>The hydrant system boost pressure and test pressure signage was not provided at the booster assembly.</p>	<p>The owners of the building were given written instructions on 20 July 2022 directing them to bring the system into compliance with the required standard of performance. A follow up inspection on 3 August 2022 revealed the required signage has not been installed as required. A fire safety order will be issued to ensure the required signage is installed.</p>
<p>The sprinkler system was found to be deficient for the following reasons:</p> <ul style="list-style-type: none"> <li>A. There is no signage on the sprinkler booster enclosure indicating the booster assembly is located inside the enclosure.</li> <li>B. There is no signage located at the sprinkler booster assembly to indicate the maximum allowable inlet pressure.</li> <li>C. A plan of risk (block plan) was not installed at the sprinkler booster assembly.</li> <li>D. A complete stock of spare sprinklers had not been provided at the sprinkler control valves.</li> </ul>	<p>The owners of the building were given written instructions on 20 July 2022 directing them to bring the sprinkler system into compliance with the required standard of performance with respect to matters A, B, C &amp; D. A follow up inspection on 3 August 2022 and discussions with the fire safety contractor on 4 August 2022 have revealed the requirements of A, B, C &amp; D are yet to be satisfied. A fire safety order will be issued to ensure the sprinkler system is maintained as required.</p>
<p>Non-fire equipment or services were installed within multiple fire hose reel cupboards throughout the building.</p>	<p>Council investigation officer inspected a number of fire hose reel cabinets within the premises and with the exception of the local smoke alarm control panels being housed in the fire hose reel cabinets at the ground level of each building no other services or installation of non-fire equipment were found. Further information being sought from FRNSW with respect to this matter.</p>
<p>Multiple exit signs throughout the building were not illuminated and had not been maintained.</p>	<p>The owners of the building were given written instructions on 20 July 2022 directing them to bring the system into compliance with the required standard of performance. A follow up inspection on 3 August 2022 revealed that one exit sign within the level 2 basement carpark was not working as required. A fire safety order will be issued to ensure all exit signs are maintained and working as required.</p>
<p>Smoke doors were being held open by wooden door wedges as the electromagnetic hold open devices were not maintained and not working.</p>	<p>The owners of the building were given written instructions on 20 July 2022 directing them to bring the system into compliance with the required standard of performance. A follow up inspection on 3 August 2022 revealed that the electromagnetic hold open devices are now operating as required. The smoke doors do not have perimeter smoke seals as required and a fire safety order will be issued to ensure smoke seals are installed.</p>

Handrails within the fire isolated stairs throughout the building are not continuous between stair flight landings.	Council investigation officer has written to the owners advising of the non-compliant handrails in fire isolated stair and asked the owners to consider the issue and write back to the City on how they propose to address the non-compliance. A follow up inspection on 3 August 2022 revealed all handrails to be non-compliant at the intersection of each flight and landing within every fire isolated stair, therefore a fire safety order will be issued to seek the installation of complaint stair handrails.
---	---

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

FRNSW Recommendations

FRNSW have made number of recommendations within their report. In general FRNSW have requested that Council;

1. Inspect the subject premises and address item no.1 of their report.
2. Give consideration to the other deficiencies identified on 'the premises' identified in item no.2 of their report.
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)

It is therefore recommended that Council exercise its powers to give a notice of intention (NOI) 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 investigation officer.

The issue of a fire safety order will ensure that adequate provisions for fire safety are made within the building. This is in addition to a separate order to remove combustible cladding from the building.

That the Commissioner of FRNSW be advised of Council's actions and determination.

**Referenced/Attached Documents:**

2022/387415-01	FRNSW S9.32 report dated 17 June 2022
2022/387415-02	Copy of written instructions to building owners dated 20 July 2022
2022/387415-03	FRNSW inspection report and advice that their fire order is completed dated 13 July 2022.
FIRE/2022/46	Copy of Notice of intention for a fire safety order

**Trim Reference:** 2022/387415

**CSM reference No#:** 2807819



Unclassified



File Ref. No: BFS22/1308 (20364)  
TRIM Ref. No: D22/43982  
Contact: [REDACTED]

17 June 2022

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  
'VALENTINO PLACE'  
1, 5 & 9 ROTHSCHILD AVENUE, 2 & 4 STEDMAN STREET AND 2, 4 & 6  
SPRING STREET, 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 3 May 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	<a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a>
Community Safety Directorate	1 Amarina Ave	T (02) 9742 7434
Fire Safety Compliance Unit	Greenacre NSW 2190	F (02) 9742 7483

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au) Page 1 of 11

Unclassified

## 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. The Automatic Fire Detection and Alarm System and Building Occupant Warning 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 as concerns at the time of inspection:
    - A. Fire Indicator Panel (FIP) - The FIP was displaying three (x3) isolations and one hundred and nineteen (x119) faults.
    - B. The local smoke alarm control panels, located within the Fire Hose Reel enclosures on the ground floor level of each building, were all isolated and without power supply.
    - C. One (x1) smoke alarm within the public corridor on the ground floor level (level 3) of Building C (outside the swimming pool area), was missing from its installed location.
    - D. Zone Block Plan - A permanent, water and fade resistant zone block plan, depicting all the relevant information of the installation, was not securely mounted adjacent to the FIP, contrary to the requirements of Clause 3.10 of AS1670.1-2004.
    - E. A red strobe light was provided beneath the awning adjacent to the fire stair leading to the pumproom to indicate the location of FIP, however the strobe light was concealed and was not visible from the main approach to the building, contrary to the requirements of Clause 3.8 of AS1670.1-2004.
  - 1B. Fire Hydrant System:
    - A. The hydrant booster assembly:
      - i. Boost pressure and test pressure signage was not provided at the booster assembly, contrary to the requirements of Clause 7.10.1 of AS 2419.1-2005.

1C. Automatic Fire Suppression System:

A. The sprinkler booster assembly:

- i. The door/s to the sprinkler booster assembly are not identified with a fade-resistant and weather resistant sign to identify the sprinkler booster within the enclosure.
- ii. A sign marked with the maximum allowable inlet pressure at the connection was not provided at the booster assembly, contrary to the requirements of Clause 4.4.3 of AS 2118.1-1999.
- iii. A plan of risk (block plan) is not provided adjacent to the sprinkler booster assembly, contrary to the requirements of Clause 8.3 of AS2118.1-1999.

B. The sprinkler valves:

- i. A complete stock of spare sprinklers had not been provided at the sprinkler control valves contrary to the requirements of Clause 6.7 of AS 2118.1-1999.

1D. Fire Hose Reels:

- A. Non-fire equipment or services were installed within multiple fire hose reel cupboards throughout 'the premises' contrary to the requirements of Clause 10.4.4 of AS2441-2005.

1E. Exit signs:

- A. Multiple exit signs throughout 'the premises' were not illuminated and had not maintained, contrary to the requirements of Clause 81 of the EPAR 2021.

1F. Smoke doors:

- A. All of the smoke doors in Building C (1 Rothschild Avenue & 2 Spring Street) were fitted with electromagnetic hold open devices which were not operational and had not been maintained, contrary to the requirements of Clause 81 of the EPAR 2021. Furthermore, the smoke doors were being held open with wooden door wedges, preventing the doors from self-closing, contrary to the requirements of Specification C3.4 of the National Construction Code Volume One Building Code of Australia (NCC). The door wedges were removed at the time of the inspection.

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. Access and Egress:

- A. Handrails – The handrails located in the fire-isolated stairways throughout 'the premises' were not continuous between stair flight landings, contrary to the requirements of Clause D2.17(a) of the NCC.

2B. 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 common area/public corridors (with a local smoke alarm control panel within the fire hose reel cupboards on the ground floor of each building) and AS1670 smoke/thermal detectors throughout the pool/gym area on the ground floor in Building C and within the childcare centre in Building B (4 Stedman Street), 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 'all other internal public spaces', such as the garbage rooms and the electrical service rooms on the residential 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) – It is unclear whether the smoke alarms are interconnected to provide the required 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.

## FIRE SAFETY ORDER NO. 1

The inspecting Authorised Fire Officers' of FRNSW issued a Fire Safety Order No. 1, dated 12 May 2022 ('the Order'), in accordance with the provisions of Section 9.34 of the EP&A Act, to have item no. 1A.A through to item no. 1A.C of this report rectified.

In accordance with the provisions of Schedule 5, Part 6, Section 12 of the EP&A Act, a copy of 'the Order', is attached for your information.

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

### RE-INSPECTION

Pursuant to the provisions of Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Clause 112(a) of the EPAR 2021, inspections of 'the premises' on 27 May 2022 and 16 June 2022 were 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 partially compliant. In this regard, Terms no. 1.b. and 1.c. of 'the Order' had been complied with, however Term no. 1.a. was only partially compliant, with seven (x7) faults remaining to be rectified (all associated with the heat detectors within the pool enclosure). FRNSW granted an extension of time, following a request from the Strata Manager.

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

### 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 (02) [REDACTED]. Please ensure that you refer to file reference BFS22/1308 (20364) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

[REDACTED]

Fire Safety Compliance Unit

Attachment: [Appendix 1 – Fire Safety Order No. 1 issued on The Owners of SP 81128]  
[Appendix 2 – Fire Safety Order No. 1 issued on The Owners of SP 81287]

Unclassified

Appendix 1 – Fire Safety Order No.1 issued on The Owners of Strata Plan No. 81128

Unclassified



File Ref. No: BFS22/1308 (20364)  
TRIM Ref. No: D22/37319  
Contact: [REDACTED]

12 May 2022

The Owners of Strata Plan No. 81128  
C/- Result Property Group  
PO Box 1  
KINGSGROVE NSW 1480

Dear Owners of Strata No. 81128

**RE: FIRE SAFETY ORDER – ORDER NO. 1  
'VALENTINO PLACE'  
1, 5 & 9 ROTHSCHILD AVENUE, 2 & 4 STEDMAN STREET A  
SPRING STREET, ROSEBERY ("the premises")**

Following the Notice of Intention to issue a Fire Safety Order, dated 4 May 2022 premises', Fire & Rescue NSW (FRNSW) has yet to receive representations in the proposed Order. Based on the information available at the time FRNSW has to issue the Fire Safety Order.

Given the circumstances of this case and in accordance with the provisions of Part 7 (Section 14 and Section 15) of the *Environmental Planning & Assessment Act* (EP&A Act), please find attached a copy of the FRNSW Fire Safety Order (Order 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. FRNSW will conduct inspections to assess compliance with the terms of the Order.

Should you have any enquiries regarding any of the above matters, please do not contact Mark Knowles of FRNSW's Fire Safety Compliance Unit on (02) 9742 [REDACTED] ensure that you refer to file reference BFS22/1308 (20364) for any future correspondence in relation to this matter.

[REDACTED]

Unclassified



---

# 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, 

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

**The Owners of Strata Plan No. 81128**

(name of person whom Order is served)

**Owner**

(position i.e. owner, building manager)

with respect to the premise

**'VALENTINO PLACE'**

**1, 5 & 9 ROTHSCHILD AVENUE, 2 & 4 STEDMAN STREET AND  
SPRING STREET, ROSEBERY ("the premises")**

(name/address of premises to which Order is served)

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

1. Ensure the Automatic Fire Detection and Alarm System and Building Warning System installed in 'the premises' is fully operational, by:
  - a. Restoring all isolations and faults displayed on the Fire Inhibit Panel (FIP).
  - b. Re-instating the local smoke alarm control panels, which were

Unclassified

Unclassified

**The reasons for the issue of this Order are:**

- a. At the time of the inspection on 3 May 2022, the FIP, associated Automatic Fire Detection and Alarm System and Building Occupant Warning System, was displaying three (3) isolations and one hundred and ninety (190) faults.
- b. At the time of the inspection on 3 May 2022, the local smoke alarm control panels, located within the Fire Hose Reel enclosures on the ground floor of each building, were all isolated and without power supply.
- c. At the time of the inspection on 3 May 2022, one (1) smoke alarm in the corridor on the ground floor level (level 3) of Building C (outside the pool area), was missing from its installed location.
- d. To ensure that the Automatic Fire Detection and Alarm System and Occupant Warning System is capable of operating in accordance with the standard of performance it was designed and installed to.
- e. To ensure compliance with the requirements of Clause 81 of the Environmental Planning and Assessment (Development Certification and Regulation) 2021.
- f. To do, or refrain from doing such things that are specified in the Order 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 **26 May 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, or 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. Substantial penalties may also be imposed under Section 9.37 of the EP&A Act in the event of a failure to comply with an Order.

Unclassified



Unclassified

Appendix 2 – Fire Safety Order No.1 issued on The Owners of Strata Plan No. 81287

Unclassified



File Ref. No: BFS22/1308 (20364)  
TRIM Ref. No: D22/37320  
Contact: [REDACTED]

12 May 2022

The Owners of Strata Plan No. 81287  
C/- Result Property Group  
PO Box 1  
KINGSGROVE NSW 1480

Dear Owners of Strata No. 81287

**RE: FIRE SAFETY ORDER – ORDER NO. 1  
'VALENTINO PLACE'  
1, 5 & 9 ROTHSCHILD AVENUE, 2 & 4 STEDMAN STREET A  
SPRING STREET, ROSEBERY ("the premises")**

Following the Notice of Intention to issue a Fire Safety Order, dated 4 May 2022 premises', Fire & Rescue NSW (FRNSW) has yet to receive representations in the proposed Order. Based on the information available at the time FRNSW has to issue the Fire Safety Order.

Given the circumstances of this case and in accordance with the provisions of Part 7 (Section 14 and Section 15) of the *Environmental Planning & Assessment Act* (EP&A Act), please find attached a copy of the FRNSW Fire Safety Order (Order 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. FRNSW will conduct inspections to assess compliance with the terms of the Order.

Should you have any enquiries regarding any of the above matters, please do not contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on [REDACTED] ensure that you refer to file reference BFS22/1308 (20364) for any future correspondence relation to this matter.



Unclassified



---


# 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,

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

**The Owners of Strata Plan No. 81287**  
(name of person whom Order is served)

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

with respect to the premise

**'VALENTINO PLACE'**  
**1, 5 & 9 ROTHSCHILD AVENUE, 2 & 4 STEDMAN STREET AND**  
**SPRING STREET, ROSEBERY ("the premises")**  
(name/address of premises to which Order is served)

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

1. Ensure the Automatic Fire Detection and Alarm System and Building Warning System installed in 'the premises' is fully operational, by:
  - a. Restoring all isolations and faults displayed on the Fire Inhibit Panel (FIP).
  - b. Re-instating the local smoke alarm control panels, which were

Unclassified

Unclassified

**The reasons for the issue of this Order are:**

- a. At the time of the inspection on 3 May 2022, the FIP, associated Automatic Fire Detection and Alarm System and Building Occupant Warning System, was displaying three (3) isolations and one hundred and ninety (190) faults.
- b. At the time of the inspection on 3 May 2022, the local smoke alarm control panels, located within the Fire Hose Reel enclosures on the ground floor of each building, were all isolated and without power supply.
- c. At the time of the inspection on 3 May 2022, one (1) smoke alarm in the corridor on the ground floor level (level 3) of Building C (outside the pool area), was missing from its installed location.
- d. To ensure that the Automatic Fire Detection and Alarm System and Occupant Warning System is capable of operating in accordance with the standard of performance it was designed and installed to.
- e. To ensure compliance with the requirements of Clause 81 of the Environmental Planning and Assessment (Development Certification and Regulation) 2021.
- f. To do, or refrain from doing such things that are specified in the Order 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 **26 May 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, or 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. Substantial penalties may also be imposed under Section 9.37 of the EP&A Act in the event of a failure to comply with an Order.

Unclassified

Unclassified



File Ref. No: BFS22/1308 (20364)  
TRIM Ref. No: D22/58027  
Contact: [REDACTED]

13 July 2022

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  
'VALENTINO PLACE'  
1, 5 & 9 ROTHSCHILD AVENUE, 2 & 4 STEDMAN STREET AND  
2, 4 & 6 SPRING STREET, ROSEBERY ("the premises")**

Pursuant to the provisions of Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Clause 112(a) of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021), inspections of 'the premises' on 27 May 2022, 16 June 2022, 5 July 2022 and 12 July 2022 were conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW).

The inspections were conducted to determine compliance with FRNSW's Order No. 1 dated 12 May 2022 ("the order"), issued in accordance with the provisions of Section 9.34 and Schedule 5, Part 8, Section 16 of the EP&A Act (copy attached).

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 and recommendations 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

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

Page 1 of 8

Unclassified

**COMMENTS**

At the time of the inspection on 12 July 2022, 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', including the items identified in FRNSW's inspection report Ref D22/43982 dated 17 June 2022, previously issued to City of Sydney Council.

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 (20364) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

[REDACTED]  
Fire Safety Compliance Unit

Attachment: [Appendix 1- Fire Safety Order No. 1 issued on The Owners of SP 81128]  
[Appendix 2- Fire Safety Order No. 1 issued on The Owners of SP 81287]

Unclassified

Appendix 1 – Fire Safety Order No. 1 issued on The Owners of SP 81128

---

Unclassified



File Ref. No: BFS22/1308 (20364)  
TRIM Ref. No: D22/37319  
Contact: [REDACTED]

12 May 2022

The Owners of Strata Plan No. 81128  
C/- Result Property Group  
PO Box 1  
KINGSGROVE NSW 1480

Dear Owners of Strata No. 81128

RE: FIRE SAFETY ORDER – ORDER NO. 1  
'VALENTINO PLACE'  
1, 5 & 9 ROTHSCHILD AVENUE, 2 & 4 STEDMAN STREET AND 2, 4 & 6  
SPRING STREET, ROSEBERY ("the premises")

Following the Notice of Intention to issue a Fire Safety Order, dated 4 May 2022 issued on 'the premises', Fire & Rescue NSW (FRNSW) has yet to receive representations in response to the proposed Order. Based on the information available at the time FRNSW has determined to issue the Fire Safety Order.

Given the circumstances of this case and 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), please find attached a copy of the FRNSW Fire Safety Order (Order No. 1) 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. FRNSW will conduct further inspections 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]. Please ensure that you refer to file reference BFS22/1308 (20364) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

Fire Safety Compliance Unit

CC Email: [REDACTED] [REDACTED]

Fire and Rescue NSW	ABN 12 593 473 110	<a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a>
Community Safety Directorate	1 Amarina Ave	T (02) 9742 7434
Fire Safety Compliance Unit	Greenacre NSW 2190	F (02) 9742 7843
<a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a>		Page 1 of 3

Unclassified

Unclassified

Unclassified

Unclassified



## 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, [REDACTED]

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. 81128**  
(name of person whom Order is served)

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

with respect to the premise

**'VALENTINO PLACE'**  
**1, 5 & 9 ROTHSCHILD AVENUE, 2 & 4 STEDMAN STREET AND 2, 4 & 6**  
**SPRING STREET, ROSEBERY ("the premises")**  
(name/address of premises to which Order is served)

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

1. Ensure the Automatic Fire Detection and Alarm System and Building Occupant Warning System installed in 'the premises' is fully operational, by:
  - a. Restoring all isolations and faults displayed on the Fire Indicator Panel (FIP).
  - b. Re-instating the local smoke alarm control panels, which were all isolated and without power supply.
  - c. Re-instating the missing smoke alarm within the public corridor on the ground floor level (level 3) of Building C.

Fire and Rescue NSW	ABN 12 593 473 110	<a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a>
Community Safety Directorate Fire Safety Compliance Unit	1 Amarina Ave Greenacre NSW 2190	T (02) 9742 7434 F (02) 9742 7643
<a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a>		Page 2 of 3

Unclassified

Unclassified

Unclassified

Unclassified

**The reasons for the issue of this Order are:**

- a. At the time of the inspection on 3 May 2022, the FIP, associated with the Automatic Fire Detection and Alarm System and Building Occupant Warning System, was displaying three (3) isolations and one hundred and nineteen (119) faults.
- b. At the time of the inspection on 3 May 2022, the local smoke alarm control panels, located within the Fire Hose Reel enclosures on the ground floor level of each building, were all isolated and without power supply.
- c. At the time of the inspection on 3 May 2022, one (1) smoke alarm within public corridor on the ground floor level (level 3) of Building C (outside the swimming pool area), was missing from its installed location.
- d. To ensure that the Automatic Fire Detection and Alarm System and Building Occupant Warning System is capable of operating in accordance with the standard of performance it was designed and installed to.
- e. To ensure compliance with the requirements of Clause 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
- f. 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 **26 May 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.



Fire Safety Compliance Unit

This Fire Safety Order No. 1 was sent by mail and email on **12 May 2022**.

Unclassified

Unclassified



Unclassified

Appendix 1 – Fire Safety Order No. 1 issued on The Owners of SP 81287

---

Unclassified



File Ref. No: BFS22/1308 (20364)  
TRIM Ref. No: D22/37320  
Contact: [REDACTED]

12 May 2022

The Owners of Strata Plan No. 81287  
C/- Result Property Group  
PO Box 1  
KINGSGROVE NSW 1480

Dear Owners of Strata No. 81287

RE: FIRE SAFETY ORDER – ORDER NO. 1  
'VALENTINO PLACE'  
1, 5 & 9 ROTHSCHILD AVENUE, 2 & 4 STEDMAN STREET AND 2, 4 & 6  
SPRING STREET, ROSEBERY ("the premises")

Following the Notice of Intention to issue a Fire Safety Order, dated 4 May 2022 issued on 'the premises', Fire & Rescue NSW (FRNSW) has yet to receive representations in response to the proposed Order. Based on the information available at the time FRNSW has determined to issue the Fire Safety Order.

Given the circumstances of this case and 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), please find attached a copy of the FRNSW Fire Safety Order (Order No. 1) 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. FRNSW will conduct further inspections 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]. Please ensure that you refer to file reference BFS22/1308 (20364) for any future correspondence in relation to this matter.

Yours faithfully,

[REDACTED]

Fire Safety Compliance Unit

CC Email: [REDACTED]

Fire and Rescue NSW	ABN 12 593 473 110	<a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a>
Community Safety Directorate	1 Amalfi Ave	T (02) 9742 7434
Fire Safety Compliance Unit	Greenacre NSW 2190	F (02) 9742 7843
<a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a>		Page 1 of 3

Unclassified

Unclassified

Unclassified

Unclassified



# 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, [REDACTED]

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. 81287**  
(name of person whom Order is served)

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

with respect to the premise

**'VALENTINO PLACE'**  
**1, 5 & 9 ROTHSCHILD AVENUE, 2 & 4 STEDMAN STREET AND 2, 4 & 6**  
**SPRING STREET, ROSEBERY ("the premises")**  
(name/address of premises to which Order is served)

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

1. Ensure the Automatic Fire Detection and Alarm System and Building Occupant Warning System installed in 'the premises' is fully operational, by:
  - a. Restoring all isolations and faults displayed on the Fire Indicator Panel (FIP).
  - b. Re-instating the local smoke alarm control panels, which were all isolated and without power supply.
  - c. Re-instating the missing smoke alarm within the public corridor on the ground floor level (level 3) of Building C.

Fire and Rescue NSW	ABN 12 593 473 110	<a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a>
Community Safety Directorate Fire Safety Compliance Unit	1 Amarina Ave Greenacre NSW 2190	T (02) 9742 7434 F (02) 9742 7643
<a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a>		Page 2 of 3

Unclassified

Unclassified

Unclassified

Unclassified

The reasons for the issue of this Order are:

- a. At the time of the inspection on 3 May 2022, the FIP, associated with the Automatic Fire Detection and Alarm System and Building Occupant Warning System, was displaying three (3) isolations and one hundred and nineteen (119) faults.
- b. At the time of the inspection on 3 May 2022, the local smoke alarm control panels, located within the Fire Hose Reel enclosures on the ground floor level of each building, were all isolated and without power supply.
- c. At the time of the inspection on 3 May 2022, one (1) smoke alarm within public corridor on the ground floor level (level 3) of Building C (outside the swimming pool area), was missing from its installed location.
- d. To ensure that the Automatic Fire Detection and Alarm System and Building Occupant Warning System is capable of operating in accordance with the standard of performance it was designed and installed to.
- e. To ensure compliance with the requirements of Clause 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
- f. 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:

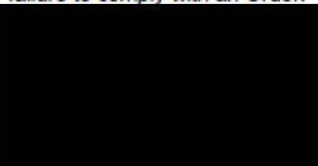
By no later than close of business on the 26 May 2022.

#### 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 12 May 2022.