

Attachment E

**Inspection Report
2-38 Barr Street, Camperdown**



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Notes

29/06/2022

**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: 2810134

Officer: Arfan Chaudhary

Date: 30 June 2022

Premises: 2-38 Barr Street Camperdown NSW

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on 14 March 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 nine residential apartment buildings between three and eight storeys in height, over a shared basement carpark. The premises is situated in Camperdown on the eastern side of Barr Street and occupies the entire street frontage between Pymont Bridge Road and Parramatta Road. The subject premises has three street frontages to Parramatta Road, Barr Street and to Pymont Bridge Road.

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

The City issued a Building Product Rectification Order on 15 June 2021 requiring the removal and replacement of the combustible cladding. The required works are being compliance managed to ensure the Order is complied with. Appropriate precautionary interim fire safety measures are also in place to assist in safeguarding occupants whilst cladding removal and replacement works are scheduled.

An inspection of the premises undertaken by a Council Investigation Officer on 30 June 2022 in the presence of the building manager revealed that there were no significant fire safety issues occurring within the building.

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. A fire safety statement for the premises has been provided and is displayed prominently within the building, as required by the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, noting that some fire safety measures in the building are undergoing maintenance to meet relevant standards.

Council investigations have revealed that whilst there remains several fire safety "maintenance and management" works to attend to, including installation of a 150mm diameter liquid filled pressure gauge to the hydrant booster assembly, replacement of internal pump door lock hardware located in Building E lobby, faulty sliding fire door located in the lower basement carpark level, path of travel to the road, after discharging from the rear exit of the retail tenancy on the Ground Floor of Building E (96 Parramatta Road), was partially obstructed, the overall fire safety systems provided within the subject premises are considered adequate in the circumstances.

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(s) through written instruction from Council.

Chronology:

Date	Event
13/05/2022	FRNSW correspondence received regarding premises 2 – 38 Barr Street, Camperdown. The correspondence was initiated by the Project Remediate program and a FRNSW inspection on 5 May 2022.
28/06/2022	A review of City records showed that the fire safety schedule for the premises contains forty four (44) fire safety measures, including an automatic fire detection system, automatic fire suppression (sprinkler) system, fire engineering reports, and other fire safety measures typical for a building of this classification, all of which, are due for recertification on 9 February 2023.
30/06/2022	An inspection of the subject premises was undertaken by a Council officer with the building manager present on 30 June 2022, when the following items were noted: <ol style="list-style-type: none"> 1. A number of fire doorsets have been tagged, however, one fire exit door at the lower ground floor was not tagged in accordance with AS/NZS 1905.1 – 2005; 2. The hydrant booster assembly was not provided with 150mm diameter liquid filled pressure gauge at the booster (100mm pressure gauge only), contrary to the requirements of Clause 7.6(b) of AS2419.1-2005; 3. The rear exit of the retail tenancy on the Ground Floor of Building E (96 Parramatta Road), was partially obstructed by an accumulation of goods/ materials and the security gate to Barr Street was padlocked shut, preventing egress to the street. The shop manager removed the padlock and chain, and stored items at the time of the inspection; 4. The door providing access to the sprinkler pumphouse has not been provided with a 003 lock compatible with FRNSW access key; 5. The basement sliding fire door was operating to the standard of performance. In this regard, the sliding fire door failed to return to the fully closed position when tested; 6. A suitable barrier (i.e. a bollard) was not provided to the fire stair exit located adjacent to 'Rosa – 12 Barr St' lift on Lower Basement Level, to prevent vehicles from blocking access to the exit; 7. The fire safety statement is prominently displayed at the premises and is current; 8. Other fire safety measures in the building appeared adequately maintained. <p>Issues specifically raised by FRNSW and responses to those issues, are summarised in the following table.</p>
14/07/2022	Corrective action letter issued (reference 2022/379832)

FIRE AND RESCUE NSW REPORT:

References: BFS22/1909 (20966); 2022/367461

Fire and Rescue NSW conducted an inspection of the subject premises after becoming aware of cladding through the Government's Project Remediate.

Issues

The report from FRNSW detailed several issues, in particular noting:

Ref*	Issue	City response
1A	i. The Main FIP in Building D, was displaying one (x1) fault, identified as 'Battery Fault'.	An inspection of the subject premises did not find the fire indicator panel displayed any faults.
1B	i. The booster assembly is connected in series with the fixed on-site fire pump, however a 150mm diameter liquid filled	To be addressed by the corrective action letter issued.

	<p>pressure gauge is not provided at the booster (100mm pressure gauge only), contrary to the requirements of Clause 7.6(b) of AS2419.1-2005.</p> <p>B. The pumproom - The internal pumproom is not accessed via a door opening to a road or open space, or a door opening to a fire-isolated passageway or a stairway which leads to a road or open space, contrary to the requirements of Clause 6.4.2 of AS2419.1-2005. In this regard, the pumproom is accessed via the fire-isolated stairway which discharges internally within the lift lobby in Building E, which appears to be subject to fire engineered alternative solution, however it is unclear whether access to the pumproom has been considered as part of the fire engineered solution. Furthermore, access is not available into Building E lobby to gain access to the stairway and the door hardware leading to the hydrant pump room was not fitted with a 003 lock compatible with FRNSW access key.</p>	<p>B. the pumproom is accessed via the fire-isolated stairway which discharges internally within the lift lobby in Building E and access to the pumproom has been considered as part of the fire engineered solution outlined in the fire engineering report prepared by Holmes Fire Pty Ltd ref: 112301 Version I dated 7 December 2016. No further action is required.</p> <p>The inspection also found that access to stairway and door to hydrant pump room was fitted with a 003 lock. However, it did not work at the inspection. This will be addressed in the corrective action letter.</p>
1C	The exit sign to the fire stair located adjacent to 'Rosa – 12 Barr St' lift on Lower Basement Level, was not illuminated and had not maintained, contrary to the requirements of Clause 81 of the EPAR 2021.	The exit sign was illuminated at the time of inspection. No further action required.
1D	The sliding fire door in the lower basement carpark level 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. In this regard, the sliding fire door failed to return to the fully closed position when tested on three (x3) occasions.	To be addressed by the corrective action letter issued.
2A	The path of travel to the road, after discharging from the rear exit of the retail tenancy on the Ground Floor of Building E (96 Parramatta Road), was partially obstructed by stored items and the security gate to Barr Street was padlocked shut, preventing egress to the street. The Shop Manager removed the padlock and chain at the time of the inspection and gave FRNSW an assurance that the stored items would be removed in a timely manner.	<p>The shop manager removed the padlock and chain, and stored items at the time of the inspection.</p> <p>This will be also addressed in the correction action letter.</p>
3A	A suitable barrier (i.e. a bollard) was not provided to the fire stair exit located adjacent to 'Rosa – 12 Barr St' lift on Lower Basement Level, to prevent vehicles from blocking access to the exit, contrary to the requirements of Clause D1.10(a) of the NCC. In this regard, whilst line marking is provided, a vehicle parked in the double stacked car space no.40, could obstruct and prevent access to the exit.	To be addressed by the corrective action letter issued.
3B	A. It was evident that there were areas/parts within the lower basement carpark level, where the required exits were not readily apparent or confusing. In particular, in the proximity to the	To be addressed by the corrective action letter issued.

	<p>'Bella – 22 Barr St' lift and the exit nearest to the bottom of the carpark ramp (adjacent to car space no. 65) where some exit signs and directional exit signs were missing the pictorial elements and others were obstructed by services. Additional directional exit signs may be required throughout the carpark level, such that an exit sign or directional exit sign is clearly visible from all parts, in accordance with Clause E4.5 and NSW E4.6 of the NCC.</p> <p>B. Additional hydrants have been installed within the carpark levels to achieve system coverage, however additional provisions have not been made to suit the operational requirements of FRNSW, contrary to the requirements of Clause 3.2.3.3 of AS 2419.1-2005. In this regard, fire-fighters would be unaware of the existence of the additional hydrant valves outside the fire stairs and would benefit from floor plan signage being placed adjacent to the hydrant valves within the fire stairs, detailing the location of the additional hydrants within the carpark levels.</p>	<p>To be addressed by the corrective action letter issued.</p>
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* FRNSW letter reference

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

FRNSW Recommendations

FRNSW have made seven (7) recommendations within their report. In general, FRNSW have requested 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. 3 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 *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)

As a result of a site inspection undertaken by Council's investigation officers, a compliance letter of instruction was issued on 14 July 2022 to rectify the identified fire safety deficiencies noted by Council and FRNSW.

The above correspondence has requested that building management engage a suitably qualified person to carry out remedial works to existing fire systems to cause compliance with required standards of performance.

Follow-up compliance inspections are currently being undertaken and will continue to ensure already identified fire safety matters are suitably addressed and that compliance with the terms of Councils correspondence and the recommendations of FRNSW occur.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

Referenced/Attached Documents:

2022/367825 -1	Fire & Rescue NSW letter dated 13 May 2022
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Trim Reference: 2022/367825

CSM reference No#: 2810134

Unclassified



File Ref. No: BFS22/1909 (20966)
TRIM Ref. No: D22/37976
Contact: [REDACTED]

13 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
'URBAN'
2-38 BARR STREET, 13-17 PYRMONT BRIDGE ROAD AND 96
PARRAMATTA ROAD, CAMPERDOWN ("the premises")**

In response to the Project Remediate programme being undertaken by the NSW Department of Customer Service, to remove high-risk combustibile cladding on residential apartment buildings in NSW, an inspection of 'the premises' on 5 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.

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

www.fire.nsw.gov.au

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Unclassified

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.

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. Automatic Smoke Detection and Alarm System:

A. Fire Indicator Panel (FIP): The automatic fire detection and alarm 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.

- i. The Main FIP in Building D, was displaying one (x1) fault, identified as 'Battery Fault'.

At the time of the inspection, the fire technician was conducting the monthly testing of the system and FRNSW were advised that the fault related to a battery associated with the Sub-FIP in Building E and further investigation was required.

Notwithstanding this, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.

1B. Fire Hydrant System:

A. The hydrant booster assembly:

- i. The booster assembly is connected in series with the fixed on-site fire pump, however a 150mm diameter liquid filled pressure gauge is not provided at the booster (100mm pressure gauge only), contrary to the requirements of Clause 7.6(b) of AS2419.1-2005.

B. The pumproom - The internal pumproom is not accessed via a door opening to a road or open space, or a door opening to a fire-isolated passageway or a stairway which leads to a road or open space, contrary to the requirements of Clause 6.4.2 of AS2419.1-2005. In

this regard, the pumproom is accessed via the fire-isolated stairway which discharges internally within the lift lobby in Building E, which appears to be subject to fire engineered alternative solution, however it is unclear whether access to the pumproom has been considered as part of the fire engineered solution. Furthermore, access is not available into Building E lobby to gain access to the stairway and the door hardware leading to the hydrant pump room was not fitted with a 003 lock compatible with FRNSW access key.

- 1C. Exit signs - The exit sign to the fire stair located adjacent to 'Rosa – 12 Barr St' lift on Lower Basement Level, was not illuminated and had not maintained, contrary to the requirements of Clause 81 of the EPAR 2021.
- 1D. Basement Sliding Fire Door – The sliding fire door in the lower basement carpark level 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. In this regard, the sliding fire door failed to return to the fully closed position when tested on three (x3) occasions.

2. Access and Egress

- 2A. The path of travel to the road, after discharging from the rear exit of the retail tenancy on the Ground Floor of Building E (96 Parramatta Road), was partially obstructed by stored items and the security gate to Barr Street was padlocked shut, preventing egress to the street. The Shop Manager removed the padlock and chain at the time of the inspection and gave FRNSW an assurance that the stored items would be removed in a timely manner.

Notwithstanding this, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.

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.

3. Generally:

3A. Access and Egress:

- A. Barriers - A suitable barrier (i.e. a bollard) was not provided to the fire stair exit located adjacent to 'Rosa – 12 Barr St' lift on Lower Basement Level, to prevent vehicles from blocking access to the exit, contrary to the requirements of Clause D1.10(a) of the NCC. In this regard, whilst line marking is provided, a vehicle parked in the double stacked car space no.40, could obstruct and prevent access to the exit.

3B. Services and Equipment:

- A. Exit signs and directional exit signs – It was evident that there were areas/parts within the lower basement carpark level, where the required exits were not readily apparent or confusing. In particular, in the proximity to the 'Bella – 22 Barr St' lift and the exit nearest to the bottom of the carpark ramp (adjacent to car space no. 65) where some exit signs and directional exit signs were missing the pictorial elements and others were obstructed by services. Additional directional exit signs may be required throughout the carpark level, such that an exit sign or directional exit sign is clearly visible from all parts, in accordance with Clause E4.5 and NSW E4.6 of the NCC.
- B. Fire hydrant system – Additional hydrants have been installed within the carpark levels to achieve system coverage, however additional provisions have not been made to suit the operational requirements of FRNSW, contrary to the requirements of Clause 3.2.3.3 of AS 2419.1-2005. In this regard, fire-fighters would be unaware of the existence of the additional hydrant valves outside the fire stairs and would benefit from floor plan signage being placed adjacent to the hydrant valves within the fire stairs, detailing the location of the additional hydrants within the carpark levels.

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address item no. 1 through to item no. 2 of this report.
- b. Give consideration to the other deficiencies identified on 'the premises' identified in item no. 3 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.

Unclassified

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 BFS22/1909 (20966) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

[REDACTED]

Fire Safety Compliance Unit