

Attachment C

**Inspection Report
40-50 Belvoir Street, Surry Hills**

40-50 Belvoir Street, Surry Hills



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Notes

509/2022

**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 2835776

Officer: G. Scotton

Date: 6 September 2022

Premises: 40-50 Belvoir Street, Surry Hills

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) on 8 August 2022 in relation to the premises with respect to matters of fire safety.

The premises consist of a part twelve (12) storey, part fifteen (15) storey high-rise building on a 2.786-hectare site, used predominantly as residential apartments. Other buildings on the site include low rise residential apartments, retail shops adjoining Belvoir Street, security offices and a community centre. A plaque at the front of the building, which is named *Northcott*, indicates it was opened on 15 December 1961 by the then Premier R. J. Heffron, with the building named in honour of Lieutenant-General Sir John Northcott, a former Governor of NSW.

The building contains six wings, referred to as numbers 40 (block D), 42 (block B-W), 44 (block B-N), 46 (block B-E), 48 (block C) and 50 (block A-rear) Belvoir Street, Surry Hills. The site is bounded by Belvoir Street, Eddie Ward Park to the East, Clisdell Street to the West, and Devonshire Street to the North.

The subject premises comprises masonry and concrete construction, is not fitted with external combustible cladding, and City records do not indicate a fire safety statement has been provided in relation to the subject building, as the building predates requirements for fire safety statements.

An inspection of the premises undertaken by a Council investigation officer in the presence of the building manager revealed that whilst the premises includes various fire safety measures, including automatic fire suppression and smoke detection and alarm systems, the premises are considered deficient in certain fire safety and egress provisions, such as in the following areas:

- (i) Inadequate fire detection and alarm systems, including the location of smoke alarms
- (ii) Inadequate facilities for fire-fighting, including the provision of adequate hydrant facilities
- (iii) Inadequate egress for occupants to safely evacuate the building in the event of a fire, including clear paths of travel to exits
- (iv) Poor fire safety management systems (including certain signs/notices/maintenance of fire safety measures) in place
- (v) Lack of certification provided to verify the nature of maintenance of the fire safety measures.

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.

Chronology:

Date	Event
8/8/2022	Correspondence received from Fire & Rescue NSW concerning fire safety matters at the premises
19/8/2022	A review of City records showed that City records do not indicate a record of a fire safety schedule, nor a fire safety statement for the subject Northcott building at the premises, owned by the NSW Land and Housing Corporation (NSW LHC)
23/8/2022	Matters raised by Fire & Rescue NSW discussed with an owner representative, who advised that certain maintenance issues outlined in the correspondence have been resolved, or can be resolved by agreement, as summarised in the issues table below
26/8/2022	<ul style="list-style-type: none">--Onsite inspection, matters raised by Fire & Rescue NSW discussed with an owner representative, as summarised in the issues table below-Other related issues noted during the inspection included:-Smoke alarms are not located in apartments in a location as is required by the Building Code of Australia, and certain garbage hoppers were not fire rated-Fire hydrants are located outside of and at some distance to each of the fire exit stairs-Fire indicator panel isolated in part in isolation/fault, and other fire safety measures, including certain exit signs, fire doors, solid core doors, warning signs were not maintained-Certain paths of travel to exits were obstructed or capable of being obstructed-The installation of a building occupant warning system was in progress, but not complete-The building does not contain fire safety measures currently required in high-rise buildings, for example an emergency warning and intercommunication system, fire exit stair re-entry, fire exit stair pressurisation, or emergency lifts-No fire safety statement displayed at the premises
2/9/2022	<p>Further onsite inspection and discussions with representatives of the owner, including a fire engineer, who advised:</p> <ul style="list-style-type: none">-The building has been undergoing fire safety improvements over time, such as including the retrofitting the existing fire suppression (sprinkler) system in the building, circa 2012-The building is currently undergoing certain fire safety improvements, such as the installation of a building occupant warning system, pursuant to an NSW LHC fire safety upgrade specification

FIRE AND RESCUE NSW REPORT:

References: [BFS22/3510; 2022/444518-01]

Fire and Rescue NSW conducted an inspection of the subject premises after receiving correspondence about deficiencies with the fire hydrant system serving the premises.

Issues Table

The report from FRNSW detailed the following issues:

Issue	City response following investigation
1. Hydrant system leak	-the hydrant issue on the western side of the building, had been resolved - a leak in the hydrant pump room and that one of the hydrant pumps was inoperable -To address in Notice of intended fire safety Order
2. Hydrant diesel pump inoperable	-The owner's representative advised matter being addressed as a priority - hydrant pump repair is underway but not complete -To address in Notice of intended Fire Safety Order
3. Hydrant block plan not provided	-This item was not a requirement at the time of construction of the building -The owner representative has indicated agreement to install this item -To address in Notice of intended Fire safety Order
4. Hydrant system old, querying standard of performance and pressure	-The hydrant system was completed in 1961 - it appears the system has been subject to routine maintenance since installation -Enhancements to the system are required -To address in Notice of intended Fire Safety Order
5. Hydrant connection query and history of fires	-The owner representative has indicated agreement to rectify this item, by investigation and improved signage -City records do not indicate a history of fires reported by Fire & Rescue NSW or otherwise relating to the building -The owner's representative advised a small number of fires are experienced each year relating to occupant issues, including minor cooking issues, false alarms, and the like -To address in Notice of intended Fire Safety Order
6. Leak repairs require hydrant system to be turned off for extended period while building occupied.	-repairs have recently been completed, the owner's representative advised the repairs were carried out with advice at the time to Fire & Rescue NSW -No action required on this item
7. Hydrant contains two boost inlet connections	-This is not considered a fire safety issue which would prevent boosting the fire hydrant system -No action required on this item
8. Hydrant block plan not provided	-The owner representative has indicated agreement to rectify this item -To address in Notice of intended Fire Safety Order
9. Hydrant hand wheels lack required clearance for ease of operation	-Inspection revealed that this issue exists in limited circumstances, as most hand wheels have adequate clearance -The owner representative has indicated agreement to rectify this item -To address in Notice of intended fire safety Order

10. Hydrant booster at building C has a lack of signage and the portion of the building it serves is not known	-The owner representative has indicated agreement to rectify this item -To address in Notice of intended Fire Safety Order
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FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

FRNSW Recommendations

FRNSW have made recommendations within their report:

1. Inspect and address any other deficiencies identified on the premises, and the require item 1. (hydrants) to be addressed appropriately;
2. That any fire hydrant systems installed under the provisions of Ordinance 70 and Ministerial Specification no. 10 (or earlier) should be upgraded to meet the current Australian Standard AS 2419.1 for an equivalent new building, as older fire hydrant systems no longer meet the operational needs of Fire & Rescue NSW.

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 site inspections undertaken by a Council investigation officer it was determined that concern for public safety requires the giving of a Notice of Intention (NOI) to issue a Fire Safety Order to be served 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, to issue a NOI to give a Fire Safety Order in accordance with the above Act

Referenced/Attached Documents:

2022/444518-01	Fire & Rescue NSW letter dated 8 August 2022
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Trim Reference: 2022/444518

CSM reference No: 2835776

Unclassified



File Ref. No: BFS22/3510 (22516)
TRIM Ref. No: D22/67579
Contact: [REDACTED]

8 August 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
'NORTHCOTT TOWER ESTATE'
40-50 BELVOIR STREET SURRY HILLS ('the premises')**

Fire & Rescue NSW (FRNSW) received correspondence on 20 July 2022, in relation to the adequacy of the provision for fire safety in connection with "the premises".

The correspondence stated that:

- *There is a leak in the hydrant system under ground that is washing away foundations. Repairs to the hydrant system require system to be turned off for an extended period of time.*
- *During an inspection the Hydrant booster cabinet was found to be non compliant. no signage and no block plan.*
- *The hydrant system seems to be old Ord 70 and the sprinkler incorporates an upgraded Australian Standard booster.*
- *The on site contractors are unsure of how the old Hydrant system connects and where the leak is coming from. This building is Dept Housing with a very high risk of fire and a long history of unit fires.*
- *Contractors on site and Ventia the head contractors do not know how to provide hydrant system while repair works are continuing.*

Fire and Rescue NSW

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Community Safety Directorate
Fire Safety Compliance Unit

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Unclassified

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Pursuant to the provisions of Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 22 July 2022 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32 (4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

COMMENTS

Please note that before the inspection, NSW Land and Housing Corporation (LAHC) had undertaken works to isolate the broken section of pipework at Building D.

The following items were identified as concerns during the inspection:

1. Essential Fire Safety Measures
 - 1A. Fire Hydrant System
 - A. The installed fire hydrant system appears to be Ordinance 70 or maybe earlier than Ordinance 70.
 - B. Based on the requirements of an Ordinance 70 system, the performance requirements provide a minimum of 250 kPa in each pressure zone.
 - C. At the time of the inspection, the diesel pumpset associated with the dual drive diesel / electric pumpset was not operational.
 - D. The hydrant booster incorporated two boost inlet connections.
 - E. A block plan was not installed anywhere in the building to assist firefighting operations.
 - F. Observations of the orientation and clearances around the handwheels of multiple attack hydrants may be difficult for firefighters to access and operate.
 - G. Building C on the southern side of the garbage room includes a boost inlet connection, and the LAHC representative did not know what the inlet connection served.

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

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on “the premises” and require item no. 1 of this report to be addressed appropriately.
- b. FRNSW recommends that any fire hydrant system installed under the provisions of Ordinance 70 and Ministerial Specification 10 (or earlier) should be upgraded to meet the requirements of the current Australian Standard AS 2419.1 for an equivalent new building. Older fire hydrant systems no longer meet the operational needs of FRNSW.

This matter is referred to Council as the appropriate regulatory authority. FRNSW 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 Acting Inspector Paul Scott of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS22/3510 (22516) for any future correspondence in relation to this matter.

Yours faithfully



Fire Safety Compliance Unit

C.C. Land and Housing Corporation

E-Mail - LAHC-BuildingServices@facns.nsw.gov.au