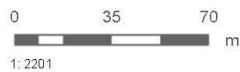


Attachment C

**Inspection Report
1 Grantham Street, Potts Point**



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Notes

12/01/2023

Council Officer Inspection and Recommendation Report
Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment
Act 1979 (the Act)

File: 2870935

Officer: Andrew Venios

Date: 13 January 2023

Premises: 1 Grantham Street, POTTS POINT NSW 2011

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on 12 October 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 an eight (8) storey residential building with ancillary basement carpark.

The subject premises is fitted with external combustible cladding. The City's cladding compliance team have issued a fire safety notice requiring cladding removal and replacement. Appropriate precautionary interim fire safety measures are currently in place 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; the removal of potential fire hazards/processes from critical potential fire start areas; the introduction of site management procedure plans and temporary rules to carefully manage hot/building maintenance works and the implementation of any expert recommendations.

An inspection of the premises undertaken by the City revealed there were other significant fire safety issues occurring within the building which could be dealt with by providing written instructions to the building owner. Comments made by FRNSW have been investigated and at the time of inspection, all fire safety systems were operational.

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. The annual fire safety certification is current and compliant and is on display within the building in accordance with the requirements of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

FRNSW have recommended that the City inspect the subject premises and appropriately address noted (and other) deficiencies identified within their report.

Investigations have revealed that whilst there remains several minor fire safety "maintenance and management" works to attend to in respect to maintaining the Fire Hydrant System and some general housekeeping to provide FRNSW access to the pump room 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 the City.

It is considered that the items identified by FRNSW have been addressed by the issue of a compliance letter.

Chronology:

Date	Event
12/10/2022	FRNSW correspondence received regarding premises at 1 Grantham Street, Potts Point.
17/11/2022	<p>The City conducted an inspection of the premises and determined that provisions for fire safety were not to the standards expressed under the current fire safety schedule and the provisions of Part 10 Section 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021):</p> <p>The Fire Hydrant System</p> <p>a) The booster assembly:</p> <ol style="list-style-type: none">i. <i>The booster assembly is located in a garden area and is obscured and obstructed by overgrown plants and vegetation which have not been maintained.</i>ii. <i>Boost pressure and test pressure signage was not provided at the hydrant booster assembly, contrary to the requirements of Clause 7.10.1 of AS 2419.1-2005.</i> <p>b) The hydrant pump: <i>The control panel for the diesel pump indicated the pump was operational, however the latest entry in maintenance logbook, dated 2 June 2022, indicated the following non-critical defects:</i></p> <ol style="list-style-type: none">i. <i>'Manual Start Failed'.</i>ii. <i>'Two x 12v 75AH Batteries req'.</i> <p>The pumproom:</p> <ol style="list-style-type: none">i. <i>All doors leading to the pump room were not fitted with a lock compatible with FRNSW access key. In this regard, the door into the fire stair leading to the pumproom at the street level, along with the plantroom door containing the pump, were not fitted with a 003 key lock.</i>ii. <i>All doors leading to the pumproom were not identified by appropriate signs or other visual aids, so the pumproom and its entrance can be readily located by the attending fire brigade, contrary to the requirements of Clause 6.4.1 of AS2419.1-2005.</i>
12/1/2023	"Corrective Action" letter issued, pertaining to FRNSW matters raised- nominating compliance time frames.

FIRE AND RESCUE NSW REPORT:

References: BFS22/1912 (20969)

Fire and Rescue NSW conducted an inspection of the subject premises in response to the Project Remediate program 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 a number of issues, in particular noting;

Fire Hydrant System	City response
<p>A. Booster assembly:</p> <p>i. The booster assembly is located in a garden area and is obscured and obstructed by overgrown plants and vegetation which have not been maintained.</p> <p>ii. Boost pressure and test pressure signage was not provided at the hydrant booster assembly, contrary to the requirements of Clause 7.10.1 of AS 2419.1-2005.</p>	<p>To be addressed by Council's written instruction to:</p> <p>i. Remove all overgrown plants and vegetation obstructing access to the booster assembly to the satisfaction of Council's Officer.</p> <p>ii. Provide "Boost pressure" and "Test pressure" signage at the hydrant booster assembly in accordance with Clause 7.10.1 of AS2419.1-2005</p>
<p>B. Hydrant pump:</p> <p>The control panel for the diesel pump indicated the pump was operational, however the latest entry in maintenance logbook, dated 2 June 2022, indicated the following non-critical defects:</p> <p>i. 'Manual Start Failed'.</p> <p>ii. 'Two x 12v 75AH Batteries req'.</p>	<p>To be addressed by Council's written instruction, requiring an accredited practitioner to attend to these non-critical defects and update the maintenance logbook to reflect the repairs have been completed and the diesel pump remains operational.</p>
<p>C. Pumproom:</p> <p>i. All doors leading to the pump room were not fitted with a lock compatible with FRNSW access key. In this regard, the door into the fire stair leading to the pumproom at the street level, along with the plantroom door containing the pump, were not fitted with a 003 key lock.</p> <p>ii. All doors leading to the pumproom were not identified by appropriate signs or other visual aids, so the pumproom and its entrance can be readily located by the attending fire brigade, contrary to the requirements of Clause 6.4.1 of AS2419.1-2005.</p>	<p>To be addressed by Council's written instruction, requiring:</p> <p>i. The owners shall replace all non-conforming locks leading to the pump room with 003 key locks to provide access for FRNSW officers.</p> <p>ii. The owners shall install appropriate signage in accordance with Clause 6.4.1 of AS2419.1-2005 to all doors leading to the pump room.</p>

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

FRNSW Recommendations

FRNSW have recommended that the City inspect the subject premises and appropriately address any other deficiencies identified on 'the premises' and require item no. 1 of the FRNSW report be addressed appropriately.

FRNSW have also requested that as soon as practical after the above recommendations have been tabled and considered that notice of any determination in respect of the recommendations is forwarded to them in accordance with clause 17(4) of Schedule 5 of the Environmental Planning and Assessment Act 1979.

COUNCIL 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
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As a result of the above site inspection undertaken by the City, the owners of the building must continue to comply with the written fire safety compliance instructions as issued by Council officers to rectify the identified fire safety deficiencies noted by FRNSW.

The above correspondence has instructed the responsible site personnel to carry out corrective actions to promote compliance.

Follow-up compliance inspections are currently being undertaken by the City, and will continue to ensure all identified fire safety matters are suitably addressed.

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

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

Referenced/Attached Documents:

2022/532020	Fire & Rescue NSW letter dated 12 October 2022
2023/016133	Corrective Action Letter dated 12 January 2023

Trim Reference:

CSM reference No#:2870935

Unclassified



File Ref. No: BFS22/1912 (20969)
TRIM Ref. No: D22/89415
Contact: [REDACTED]

12 October 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
1 GRANTHAM STREET, POTTS POINT ("the premises")**

In response to the Project Remediate programme being undertaken by the NSW Department of Customer Service, to remove high-risk combustable cladding on residential apartment buildings in NSW, an inspection of 'the premises' on 6 June 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	1 Amarina Ave	T (02) 9742 7434
Fire Safety Compliance Unit	Greenacre NSW 2190	F (02) 9742 7483

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

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 at the time of the inspection:

1. Essential Fire Safety Measures

1A. The Fire Hydrant System:

A. The booster assembly:

- i. The booster assembly is located in a garden area and is obscured and obstructed by overgrown plants and vegetation which have not been maintained.
- ii. Boost pressure and test pressure signage was not provided at the hydrant booster assembly, contrary to the requirements of Clause 7.10.1 of AS 2419.1-2005.

A. The hydrant pump – The control panel for the diesel pump indicated the pump was operational, however the latest entry in maintenance logbook, dated 2 June 2022, indicated the following non-critical defects:

- i. *'Manual Start Failed'*.
- ii. *'Two x 12v 75AH Batteries req'*.

The Building Manager who was in attendance at the time of the inspection was made aware of the defects and FRNSW were advised that the issues would be resolved in a timely manner.

B. The pumphouse:

- i. All doors leading to the pump room were not fitted with a lock compatible with FRNSW access key. In this regard, the door into the fire stair leading to the pumphouse at the street level, along with the plantroom door containing the pump, were not fitted with a 003 key lock.
- ii. All doors leading to the pumphouse were not identified by appropriate signs or other visual aids, so the pumphouse and its entrance can be readily located by the attending fire brigade, contrary to the requirements of Clause 6.4.1 of AS2419.1-2005.

Unclassified

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.

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address item no. 1 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 BFS22/1912 (20969) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

[REDACTED]
Fire Safety Compliance Unit

