

Attachment B

**Inspection Report
2-4 Sterling Circuit, Camperdown**

2 - 4 Sterling Circuit, Camperdown



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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: 2874040

Officer: M. Hassan

Date: 4 January 2023

Premises: 2-4 Sterling Circuit, Camperdown

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) on 20 October 2022 in relation to the premises 2-4 Sterling Street, Camperdown 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 three residential apartment buildings which share a common car park. The building known as Vie 1 consists of six (6) storeys above street level and contains both commercial and residential tenancies. The building known as Vie 2 consists of seven (7) storeys above street level and contains no commercial tenancies. The building known as Vie 3 consists of five (5) storeys above street level and contains no commercial tenancies.

The subject premises is rectangular in shape and is bounded by Alexandra Street to the North and Pymont Bridge Road to the South. The building is predominately surrounded by residential buildings.

The subject premises is fitted with external combustible cladding. The City's cladding compliance team have issued a Fire Safety Order requiring cladding removal and replacement. To reduce the risk currently posed by the cladding, City officers have initiated precautionary interim fire safety measures. These measures assist in safeguarding occupants whilst cladding removal and replacement works are scheduled and progressed.

Inspections of the premises undertaken by the City on 9 November 2022, 2 December 2022, 21 December 2022, and 4 January 2023 in the presence of the building manager, revealed that the premises are deficient in fire construction, egress, and fire safety provisions in the following areas:

- I. Inadequate smoke detection and alarm system (thermal / heat alarms were provided at either end of the public corridors in lieu of smoke alarms, alarm activation in the car park will not activate an alarm in all three buildings which are located above the car park shared by the three buildings)
- II. Suitable fire resisting construction to prevent the spread of fire (Steel beams and columns not enclosed in suitable fire resistive construction, penetrations in walls separating the main electrical switch room from the car park)
- III. A lack of adequate facilities for firefighting (a fire hydrant lacks a pressure gauge, difficulty using fire hose reels as they are not wound correctly, inadequate signage and block plans provided at the fire hydrant booster and fire hydrant pump)
- IV. Defective egress provisions (excessive travel distances to exits)

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

Chronology:

Date	Event
20/10/2022	FRNSW correspondence received regarding premises. 2-4 Sterling Street, Camperdown.
09/11/2022	<p>An inspection of the subject premises was undertaken with the building manager. The inspection revealed the following egress, and fire safety deficiencies:</p> <ol style="list-style-type: none"> 1. Thermal alarms were located at either end of the public corridor in Building Vie 2. The alarms are required to be smoke alarms. 2. The fire hydrant booster assembly lacked signage, a compliant block plan and the Storz couplings. 3. The public corridor in building Vie 2 was greater than 40m long and was not provided with a smoke door to separate the corridor into two portions in the event of a fire occurring in the building. <p>Council's officer advised the building manager that Council will be issuing a Notice of Intention to give a Fire Safety Order (NOI) on the premises which will require the owners to carry out fire safety works to the building. The Notice was issued on 5 January 2023.</p>
02/12/2022	<p>A further inspection of the subject premises was undertaken with the building manager to check fire services that could not be checked in the previous inspection.</p> <p>The inspection revealed that the following additional fire safety issues:</p> <ol style="list-style-type: none"> 1. Several fire hose reels were not wound correctly. 2. Lightweight fire resistive construction was present within the fire isolated passageway located at the bottom of the exit stair serving building Vie 2 and in the fire hydrant pump room. Lightweight fire resistive construction is not present on the buildings fire safety schedule. 3. The car park lacked directional exit signs. 4. The fire hydrant pump room lacked a block plan and the door to the pump room contained confusing signage. 5. The fire hydrant valve located on the top landing of the building known as Vie 2 lacked a pressure gauge. 6. The wall between the main switch room and the car park contained a large penetration. 7. The travel distance to the exit in building Vie 1 was excessive. <p>The inspection revealed that all thermal/heat alarms in building Vie 2 have been replaced with smoke alarms (as noted in 1. above during inspection of 9/11/22).</p>
21/12/2022	<p>A further inspection of the subject premises was undertaken with the building manager to check fire services that were noted in a Fire Safety Assessment Report prepared by the owner's fire safety engineer.</p> <p>The inspection revealed that additional thermal alarms had been installed within each apartment in building Vie 1 in accordance with the requirements of Fire Safety Engineering Assessment Report.</p>
04/01/2023	<p>A further inspection of the subject premises was undertaken with the building manager to check fire services that were noted in a Fire Safety Assessment Report prepared by the owner's fire safety engineer.</p> <p>The inspection revealed that the exit stair in building Vie 1 contained an automatic stair pressurisation system in accordance with the requirements of Fire Safety Engineering Assessment Report.</p>

FIRE AND RESCUE NSW REPORT:

References: [BFS22/1907 (209640), D22/90110; 2022/542453]

Fire and Rescue NSW conducted an inspection of the subject premises on 5 May 2022 after becoming aware of cladding through the Government's Project Remediate.

Issues

The report from FRNSW detailed a number of issues, in particular noting the following:

Issue	City response
A fault was displayed on the FIP.	No faults were displayed during the inspection.
Thermal/heat alarms were provided at either end of the public corridors in lieu of smoke alarms, in building Vie 2.	All thermal/heat alarms in building Vie 2 have been replaced with smoke alarms and proper certification has been provided to Council for the installation works. No further action is required.
Thermal/heat detectors were provided throughout the car park levels, in lieu of smoke detectors.	The National Construction Code permits the use of thermal/heat detectors in car park in lieu of smoke detectors. No further action is required.
It could not be determined whether the Building Occupant Warning system (BOW) sounds through all occupied areas of the building.	This issue with the Building Occupant Warning system has been addressed under Notice of Intention to give a Fire Safety Order (NOI) issued on the owners on 5 January 2023.
The pressure gauge provided at the hydrant booster assembly does not comply with the requirements of Clause 7.6(b) of AS 2419.1-2005 and is unsuitable.	These issues have been included under the Notice of Intention to give a Fire Safety Order issued on the owners on 5 January 2023.
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.	
The block plan at the booster assembly did not include a floor plan layout of the building and the hydrant system, contrary to the requirements of Clause 7.11 of AS 2419.1-2005.	
Storz couplings, compatible with FRNSW firefighting hose connections were not provided to the feed and inlet connections at the booster assembly.	
The sliding fire doors on both car park levels failed to return to the fully closed position when tested.	

FRNSW Recommendations

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

1. Inspect the subject premises and address item no. 1 of their report.

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 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 Notice of Intention to Give a Fire Safety Order	Other (to specify)

As a result of several site inspections undertaken by the City, a Notice of Intention to give a Fire Safety Order (NOI) under Schedule 5 of the Environmental Planning and Assessment Act, 1979 was issued on the owners of the building on 5 January 2023 to address the fire safety deficiencies identified by FRNSW and Council's investigation officer.

It is recommended that Council note the exercise of powers by Council's officer, to issue a NOI in accordance with the above Act, prior to the resolution of Council.

The issue of a fire safety order will ensure that suitable fire safety systems are in position throughout the building to provide improved and adequate provisions for fire safety

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

Referenced documents:

No#	Document type	Trim reference
A1	Fire and Rescue NSW Report	2023/003842-01
A2	Copy of Proposed Fire Safety Order	2023/003842-02

Trim Reference: 2023/003842

CSM reference No#: 2874040

Unclassified



File Ref. No: BFS22/1907 (20964)
TRIM Ref. No: D22/90110
Contact: [REDACTED]

20 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
'VIE 1, 2 and 3'
2-4 STERLING CIRCUIT, CAMPERDOWN
[AKA: 1 ALEXANDRA DRIVE] ("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 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

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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 Fire Detection and Alarm System and Building Occupant Warning System (BOWS):
 - A. The building appears to be provided with a smoke detection system throughout the residential parts in 'Vie 1', consisting of AS1670 smoke detectors in the common areas/public corridors, a combination of AS1670 smoke and thermal detectors throughout the carpark levels and a smoke alarm system throughout the residential parts in 'Vie 2' and '3', consisting of AS3786 smoke alarms in the common areas/public corridors, with a Fire Indicator Panel (FIP) in Vie 1 building on level 1, in accordance with Clause E2.2, Table E2.2a and Specification E2.2a (Clause 3 and Clause 4) of the National Construction Code Volume One Building Code of Australia (NCC).

The following was observed at the time of the inspection:

- i. The FIP was displaying one (x1) alarm/disablement, identified as Level 1 Zone 6 ('Vie 1' building).

The Building Manager who was present at the time of the inspection was made aware of the disablement and FRNSW were advised that the issue would be investigated and resolved in a timely manner.
- ii. Thermal/heat alarms were provided at either end of the public corridors on all levels, in 'Vie 2' building, in lieu of smoke alarms.
- iii. Thermal/heat detectors were provided throughout the carpark levels, in lieu of smoke detectors.

Unclassified

- iv. It could not be determined whether the BOWS would sound through all occupied areas of the building in accordance with Clause 7 of Specification E2.2a of the NCC. In this regard:
 - a. Common area smoke alarms in 'Vie 2 and 3', appear to be interconnected to only provide a common building alarm to alert all building occupants in each individual building. For example, it is unclear whether a smoke alarm activation in 'Vie 2' would operate the BOWS in 'Vie 3, Vue 1' and the carpark.
 - b. It is unclear whether a smoke/thermal detector activation in 'Vie 1' or the carpark would operate a BOWS in 'Vie 2 and 3'.
- 1B. Fire Hydrant System – The fire hydrant system appears to have been installed to AS2419-1994, with the year of installation nominated as 2003. Notwithstanding this, the following deviations from AS2419.1-2005 have been identified:
 - A. The hydrant booster assembly:
 - i. The booster is connected 'in series' with the fixed on-site fire pump. In this regard, an engraved warning sign is provided at the booster assembly, however a 150mm diameter liquid filled pressure gauge which indicates the pressure at the pump discharge pipe/manifold has not been provided, contrary to the requirements of Clause 7.6(b) of AS2419.1-2005. A pressure gauge is provided, however it is only 100mm in diameter and not liquid filled.
 - ii. 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.
 - iii. The block plan at the booster assembly was a schematic plan only and did not include a floor plan layout of the building and the hydrant system, contrary to the requirements of Clause 7.11 of AS 2419.1-2005.
 - iv. Storz couplings, compatible with FRNSW firefighting hose connections were not provided to the feed and inlet connections at the booster assembly, contrary to the requirements of Clauses 3.1 and 8.5.11.1 of AS2419.1-2005, Clauses 1.2 and 3.4 of AS2419.2-2009, Clause 3.5 of AS2419.3-2012, 'and 'FRNSW Fire safety guideline, Technical information – FRNSW compatible Storz hose connections – Document no. D15/45534 – Version 09 – Issued 10 January 2019'.

1C. Sliding Fire Doors:

- A. The sliding fire doors in the basement carpark levels (to separate the carpark into fire compartments) had not been maintained, contrary to the requirements of Clause 81 of the EPAR 2021. In this regard, the sliding fire doors on both carpark levels failed to return to the fully closed position when tested.

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 BFS22/1907 (20964) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

[REDACTED]
Fire Safety Compliance Unit