

# **Attachment H**

**Inspection Report  
7 Metters Street, Erskineville**

# 7 Metters Street, Erskineville



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Notes

7/12/2022

**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: 2877469**

**Officer: M. Hassan**

**Date: 7 December 2022**

**Premises: 7 Metters Street, Erskineville**

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**Executive Summary:**

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises (specifically “Casa Residences”) on 31 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 is a seven (7) storey residential apartment building comprising two (2) levels of basement car parking. The premises is located on the corner of Metters Street and Zenith Street, Erskineville and is surrounded by residential apartment buildings.

The subject premises is fitted with potentially combustible external cladding. The City’s cladding compliance team has issued a Fire Safety Order requiring the owners prepare an audit of the cladding to evaluate the risk posed.

An inspection of the premises undertaken by a Council Officer on 11 November 2022 in the presence of the building manager revealed that several fire safety measures in the building were not being maintained correctly.

A Corrective Action Letter was sent to the owners of the building on 15 November 2022 requiring the owners to rectify the defective fire safety measures in the building. Subsequent inspections revealed that all the defective fire safety measures identified in Council’s Corrective Action Letter had been rectified to the satisfaction of Council.

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. There are no significant fire safety issues occurring within the building.

Accordingly, Council investigations have revealed that whilst there were several fire safety “maintenance and management” works to attend to, the overall fire safety systems provided within the subject premises are considered adequate in the circumstances, no further action is recommended at this time.

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**Chronology:**

Date	Event
31/10/2022	FRNSW correspondence received regarding premises "Casa Residences" at 7 Metters Street, Erskineville.
11/11/2022	An inspection of the subject premises was undertaken with the building manager. The inspection revealed the following: 1. There were three faults on the fire indicator panel (FIP) as noted in the FRNSW Report. The Building manager advised that a works order has been placed to rectify the faults. 2. The fire doors separating rising and descending stair flights in each fire stair did not close to the fully closed and latched position. 3. The sprinkler booster lacked maximum allowable pressure signage. 4. Two spare sprinkler heads were missing from the stock of spare sprinklers.
17/11/2022	A Corrective Action Letter (Trim Ref: 2022/639858) was sent to the owners of the building on 15 November 2022 requiring the owners to rectify the above-mentioned fire safety issues within 14 days from the date of the letter.
12/12/2022	A follow up inspection of the subject premises was undertaken and revealed that all remaining faults on the FIP had been cleared and all works required to be completed in the Corrective Action Letter dated 15 November 2022 had been completed.

**FIRE AND RESCUE NSW REPORT:**

References: BFS22/5157 (24150), D22/93051, 2022/562823

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 fire safety issues in particular noting the following:

Issue	City response
A number of faults were displayed on the FIP.	Corrective action letter issued requiring the faults identified on the FIP to be rectified. All the faults identified on the FIP have been repaired and the FIP is showing no faults.
The fire door separating the rising and descending stair flights in each fire stair, both failed to return to the fully closed position after each opening.	Corrective action letter issued requiring the subject doors to be repaired. The subject doors have been repaired and now return to the fully closed position after each opening.
A sign marked with the maximum allowable inlet pressure was not provided at the sprinkler booster connection.	Corrective action letter issued requiring the subject sign to be installed. The subject sign has been installed.
A complete stock of spare sprinklers and a spanner had not been provided at the sprinkler control valves.	Corrective action letter issued requiring a complete stock sprinklers to be provided at the sprinkler control valves. A complete stock of spare sprinklers and a spanner is provided at the sprinkler control valves.

## FRNSW Recommendations

FRNSW made the following recommendation within their report:

1. Inspect the subject premises and take action to have the identified fire safety issues appropriately addressed.

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### **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)
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Inspections undertaken by a Council investigation officer of the premises revealed that the issues identified by Fire and Rescue NSW in their letter dated 31 October 2022 have been rectified.

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 determination.

#### **Referenced documents:**

No#	Document type	Trim reference
A1	Fire and Rescue NSW Report	2022/639858-01

**Trim Reference:** 2022/639858

**CSM reference No#:** 2877459

Unclassified



File Ref. No: BFS22/5157 (24150)  
TRIM Ref. No: D22/93051  
Contact: [REDACTED]

31 October 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  
'CASA RESIDENCES'  
7 METTERS STREET, ERSKINEVILLE ("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 October 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 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 as concerns at the time of the inspection:

### 1. Essential Fire Safety Measures

1A. 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:

A. Fire Indicator Panel (FIP) - The FIP was displaying three (x3) disablements identified as:

- Unit A110 - Heat
- Sub-Station Exhaust Vesda
- Sub-Station Vesda - Outside

The same faults/disablements appear to have been identified in the 'Maintenance Record & Report' logbook dating back to at least June 2022.

### 1B. Fire Doors:

A. Multiple fire doors throughout 'the premises' had not been maintained in accordance with the requirements of Clause 81 of the EPAR 2021. The following issues were identified at the time of the inspection:

- i. The fire door separating the rising and descending stair flights in each fire stair, both failed to return to the fully closed position (and self-latch) after each opening, when tested, contrary to the requirements of Specification C3.4 of the National Construction Code Volume One Building Code of Australia (NCC) and AS1905.1.

### 1C. Automatic Fire Suppression System:

A. The sprinkler booster assembly:

- i. 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.

Unclassified

B. The sprinkler valves:

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

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 BFS22/5157 (24150) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

[REDACTED]  
Fire Safety Compliance Unit