

Attachment M

**Inspection Report
281-285 Broadway Glebe**



© City of Sydney Council 2023. All Rights Reserved.
This map has been compiled from various sources and the publisher and/or contributors accept no responsibility for any injury, loss or damage arising from the use, error or omissions therein. While all care is taken to ensure a high degree of accuracy, users are invited to notify Council's Spatial Services of any map discrepancies.
No part of this map may be reproduced without written permission.



Notes

4/08/2023

**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 3019318

Officer: T McCann

Date: 04 August 2023

Premises: 281-285 Broadway, Glebe

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) on 17 July 2023 in relation to the premises 281-285 Broadway, Glebe with respect to matters of fire safety. FRNSW inspected the premises after a member of the public raised concerns regarding a number of potential fire safety issues.

The building (known as University Hall) is located on the corner of Glebe Point Road and Parramatta Road and consists of seven (7) storeys used mainly for residential accommodation with the ground floor level comprising of many commercial and retail tenancies.

Council have an active fire safety order issued on the premises, reference [FIRE/2019/41] which is currently being compliance managed.

An inspection of the premises, undertaken by a Council officer on 04 August 2023, 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.

Council investigations have revealed that whilst there remains 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.

It is considered that the identified fire safety defects are of a degree which can be addressed by routine preventative and corrective maintenance actions undertaken by the owner’s fire services contractor/s as part of the on-going work associated with the fire safety order. Observation of the external features of the building did not identify the existence of any potential combustible composite cladding on the façade of the building.

Chronology:

Date	Event
17/07/2023	FRNSW correspondence received regarding premises "University Hall", 281-285 Broadway, Glebe. The correspondence was initiated by correspondence from a concern member of the public.
02/08/2023	A review of City records shows the building is currently subject to a Fire Safety Order for fire safety deficiencies and is being compliance managed by Council since 2019.
04/08/2023	An inspection of the subject premises was undertaken by a Council Officer on 04 August 2023, however, no further deficiencies other than those raised by FRNSW were noted. Issues specifically raised by FRNSW and responses to those issues, are summarised in the following table.

FIRE AND RESCUE NSW REPORT:

References: BFS23/1110 (26796), D23/058661

Fire and Rescue NSW conducted an inspection of the subject premises after becoming aware of potential fire safety concerns from a member of the public.

Issues

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

Ref.	Issue identified	City response
1A	The fire hydrant booster is located in the car park within the building, contrary to the requirements of Clause 7.3 of AS 2419.1-2005. The system appears to be newly installed. In this regard, it is unknown whether this location was the subject of an approved Fire Engineered Performance Solution.	The location of the fire hydrant booster is subject to an approved Fire Engineered Performance Solution which has been assessed to meet the requirements of the Fire Safety Order issued by Council.
1B	The fire hydrant booster was not provided with maintenance tags contrary to the requirements of Clause 1.16 of AS 1851-2012.	Noted – This will be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.
1CA	A block plan was not provided at the fire hydrant booster contrary to the requirements of Clause 7.11 of AS 2419.1-2005.	Noted – This will be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.
2A	A copy of an up-to-date Annual Fire Safety Statement was not displayed in a prominent location within the building, contrary to the requirements of Section 89 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.	Noted – This will be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.

Ref.	Issue identified	City response
2B	It is noted that the City of Sydney Council has issued a Fire Safety Order No. 1 to the owners of the premises dated 10 July 2019, which, in part, requires the installation of a new fire hydrant system. In this regard, it is unknown whether the fire hydrant system as installed has been approved as part of this process.	The location of the fire hydrant booster is subject to an approved Fire Engineered Performance Solution which has been assessed to meet the requirements of the Fire Safety Order issued by Council.

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

FRNSW Recommendations

FRNSW have made four (4) recommendations within their report and requested that Council:

- a. Review items 1 and 2 of this report and conduct an inspection.
- b. Address any other deficiencies identified on “the premises”

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 officer has determined to note the identified fire safety deficiencies identified by FRNSW and continue with compliance actions under the current fire safety order. Follow-up compliance inspections are currently being undertaken and will continue to be undertaken by a Council investigation officer to ensure the already identified fire safety matters are suitably addressed and that compliance with the terms of Councils fire safety order occur. It is recommended that Council not exercise its powers to give a fire safety order at this time.

Referenced/Attached Documents:

2023/427548	Fire & Rescue NSW letter dated 17 July 2023
-------------	---

Trim Reference: 2023/427548-01

CSM reference No: 3019318

OFFICIAL



File Ref. No: BFS23/1110 (26796)
TRIM Ref. No: D23/058661
Contact: [REDACTED]

14 July 2023

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
UNIVERSITY HALL
281-285 BROADWAY GLEBE ("the premises")**

Fire and Rescue NSW (FRNSW) received correspondence on 6 March 2023 concerning the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- *A newly installed fire hydrant booster sits within the building garage in a path of travel for vehicles. Personnel must get into the building, travel to the rear and access the electric roller door.*
- *South western stair does not include a fire hydrant landing valve. This area is provided with an internal hydrant in a corridor cupboard meaning access is not from within a fire-isolated zone.*
- *Signage and block plan need to be improved.*

Pursuant to Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW inspected 'the premises' on 20 June 2023.

On behalf of the Commissioner of FRNSW, the comments in this report are provided under 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

OFFICIAL

OFFICIAL

The items listed in the comments of this report are based on the following limitations:

- A general overview of the building was obtained without using the development consent conditions or approved floor plans as a reference.
- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.

COMMENTS

Please be advised that the items in this report are limited to observations of the building accessed during the inspection and identify possible nonconformities with the National Construction Code 2022, Volume 1 Building Code of Australia (NCC) and provisions for fire safety. The items are not an exhaustive list of non-compliances. FRNSW acknowledges that the differences observed at the time may contradict development consent approval or relate to the building's age. Therefore, it's the Council's discretion as the appropriate regulatory authority to consider the most appropriate action.

The following items were identified during the inspection:

1. Essential fire safety measures
 - 1A. The fire hydrant booster is located in the car park within the building, contrary to the requirements of Clause 7.3 of AS 2419.1-2005. The system appears to be newly installed. In this regard, it is unknown whether this location was the subject of an approved Fire Engineered Performance Solution.
 - 1B. The fire hydrant booster was not provided with maintenance tags contrary to the requirements of Clause 1.16 of AS 1851-2012.
 - 1C. A block plan was not provided at the fire hydrant booster contrary to the requirements of Clause 7.11 of AS 2419.1-2005.
2. Generally
 - 2A. A copy of an up-to-date Annual Fire Safety Statement was not displayed in a prominent location within the building, contrary to the requirements of Section 89 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
 - 2B. It is noted that the City of Sydney Council has issued a Fire Safety Order No. 1 to the owners of the premises dated 10 July 2019, which, in part, requires the installation of a new fire hydrant system. In this regard, it is unknown whether the fire hydrant system as installed has been approved as part of this process.

FRNSW believes that there are inadequate provisions for fire safety within the building.

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Review items 1 and 2 of this report and conduct an inspection.
- b. Address any other deficiencies identified on “the premises”.

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. This matter is referred to Council as the appropriate regulatory authority. FRNSW awaits the Council's advice regarding its determination under Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call [REDACTED] if there are any questions or concerns about the above matters. Please refer to file reference BFS23/1110 (26796) regarding any correspondence concerning this matter.

Yours faithfully

[REDACTED]

[REDACTED]

Fire Safety Compliance Unit