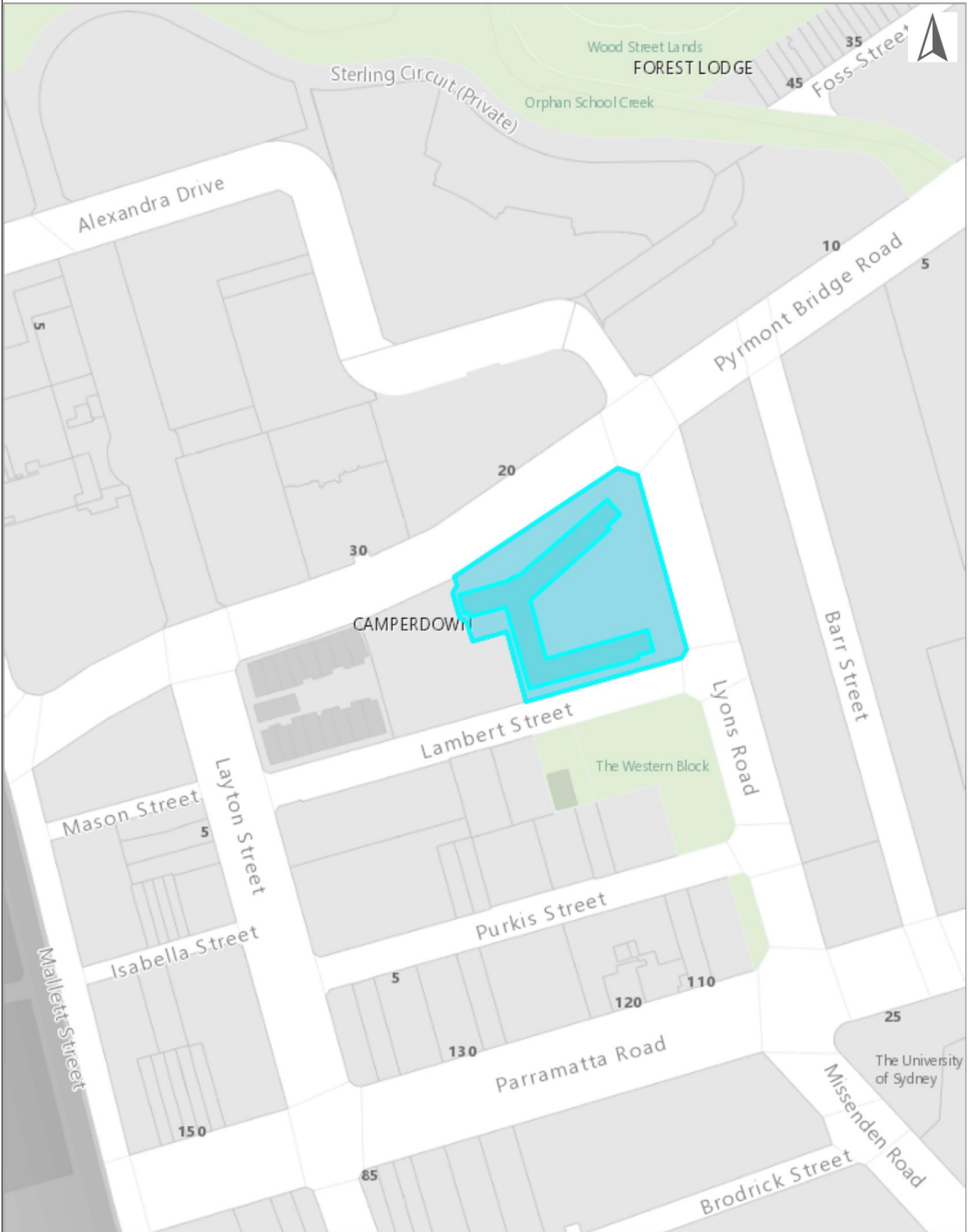
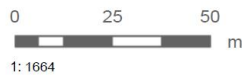


Attachment M

**Inspection Report
23-25 Pymont Bridge Road, Camperdown**



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Notes

30/03/2022

**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: 3064992 **Officer:** Arfan Chaudhary **Date:** 24 October 2023

Premises: 23-25 Pyrmont Bridge Road, Camperdown

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on 10 October 2023 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 premises is an 11-storey residential apartment building containing a car park on the ground level. The subject building is irregular in shape and is located on the corner of Pyrmont Bridge Road, Lyons Road and Lambert Street, Camperdown and is owned by Land and Housing NSW.

The building is a high-rise block comprising 155 units with lift access to each floor. There are external walkways on each level to access individual units.

Council has an active fire safety order issued on the premises, reference which is currently being compliance managed.

An inspection of the premises undertaken by a Council investigation officer on 24 October 2023 in the presence of Land and Housing Corporation staff 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 potential combustible composite cladding on the façade of the building.

Chronology:

Date	Event
10/10/2023	FRNSW correspondence received regarding premises 23-25 Pyrmont Bridge Road, Camperdown. The correspondence was initiated by correspondence from a concerned member of the public.
17/10/2023	A review of Council records show the building is currently subject to a Fire Safety Order for fire safety deficiencies and has been compliance managed by Council since 2022.
24/10/2023	An inspection of the subject premises was undertaken by Council's investigation officer in the presence of the Land and Housing Corporation staff, 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.
25/10/2023	A corrective action letter issued on 25 October 2023

FIRE AND RESCUE NSW REPORT:

References: BFS23/4368 (29971); D23/95005; 2022/100713

FRNSW conducted an inspection of the subject premises on 17 August 2023 after becoming aware of potential fire safety concerns from a member of the public.

The correspondence states that Fire Hoses are being used for Cleaning and the Stairwells are being obstructed by mattresses and stolen goods.

The report from FRNSW detailed several issues in relation to the subject building, in particular noting:

Ref	Issue identified	City response
1A	<p>A. Zone Block Plan - a permanent, water and fade resistant zone block plan, depicting all the relevant information of the installation, was not securely mounted adjacent to the Fire Brigade Panel (FBP), contrary to the requirements of Clause 3.10 of AS1670.1-2018.</p> <p>B. Building Occupant Warning System (BOWS) – It appears sounders are installed in various locations along the external balconies, however it could not be determined whether the BOWS would sound through all occupied areas of the building to achieve the required dB(A) levels in accordance with Clause S20C7 of Specification 20 of the NCC and AS 1670.1.</p>	<p>A. At the inspection, it was observed Zone Block Plan are securely adjacent to the Fire Brigade Panel.</p> <p>B. At the inspection, it was observed BOWS/speakers are installed in the building including occupied areas and common areas.</p> <p>Noted – This will be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.</p>
1B	<p>i. Multiple fire doors to the electrical cupboards (along the external balconies) were either damaged, had self-closing devices that were removed, disengaged or broken or failed to return to the fully closed position (and self-latch) after each opening when tested, contrary to the requirements of Clause C3D14 and Specification 12 of the NCC and AS1905.1.</p>	<p>The items are addressed by the corrective action letter issued 25 October 2023.</p> <p>This will also be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.</p>

Ref	Issue identified	City response
	<p>ii. Multiple fire doors to the fire-isolated stairways were fitted with magnetic hold open devices which were broken and had not been maintained and the fire door was 'chocked' in the open position, therefore preventing the door from self-closing or automatic closing, contrary to the requirements of Clause C4D9 and Specification 12 of the NCC and AS1905.1.</p>	<p>The items are addressed by the corrective action letter issued 25 October 2023.</p> <p>This will also be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.</p>
1C	<p>A copy of the current AFSS was not prominently displayed within the building in accordance with Section 89 of the EPAR 2021.</p>	<p>Noted – This will be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.</p>
2A	<p>Fire Exits - There were multiple items being stored along the external balconies and stair landings, which were reducing the egress widths of the paths of travel to the external stairways and were capable of obstructing the free passage of persons using the exits, contrary to the requirements of Section 109 of the EPAR 2021.</p>	<p>The items are addressed by the corrective action letter issued 25 October 2023.</p>
3A	<p>The balustrades to the external balconies, which are more than 4m from the floor level to the surface beneath, contain perforations in the zone between 150mm and 760mm above the balcony floor level, which may be considered a horizontal element which facilitates climbing, contrary to the requirements of Clause D3D20 of the NCC.</p>	<p>At the inspection, it was observed the balustrade perforations in the zone was 4mm. Therefore, it complied with the requirements of Clause D3D20 of the NCC.</p> <p>No further action required.</p>
4A	<p>i. Automatic Fire Suppression System – The building is not provided with a sprinkler system throughout, contrary to the requirements of Clause E1D5 of the NCC. In this regard, the only visible sprinklers throughout the building were installed within the carpark areas on the ground floor level, with sprinkler coverage not extended throughout the residential levels.</p> <p>It is recommended that Council consider compelling the owners to upgrade the sprinkler system to extend through all area of the building to comply with Clause E1D4 of the NCC.</p> <p>ii. Stair Pressurisation System - The fire-isolated stairways were not provided with an air pressurisation system complying with AS 1668.1, contrary to the requirements of Clause E2D4 of the NCC.</p> <p>iii. Emergency Warning and Intercom System – The building is not provided with</p>	<p>i. Noted – This will be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.</p> <p>ii. Council assessed the building and decided not to include in the Fire Safety Order.</p>

Ref	Issue identified	City response
	<p>an emergency warning and intercom system, complying with AS 1670.4, contrary to the requirements of Clause E4D9 of the NCC.</p> <p>iv. Fire Control Centre – The building is not provided with a Fire Control Centre, contrary to the requirements of Clause E1D15 and Specification 19 of NCC.</p>	<p>iii. Noted – This will be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.</p> <p>iv. Noted – This will be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.</p>

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 to 4 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 awaits the Council’s advice regarding its determination under Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

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 Notice of Intention to Give a Fire Safety Order	Other (to specify)
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As a result of a site inspection undertaken by Council’s investigation officers it was determined to issue the owners of the building a compliance letter of instruction to rectify the identified minor fire safety deficiencies noted by Council and FRNSW. This correspondence requested the engagement of an accredited fire practitioner to carry out remedial works to existing fire systems to cause compliance with required standards of performance.

Follow-up compliance inspections will be undertaken by a Council investigation officer to ensure these fire safety matters are suitably addressed.

Some of the deficiencies, including Automatic Fire Suppression System, Emergency Warning and Intercom System and Fire Control Centre identified by Council investigation officers are being addressed by the Fire Safety Order issued on [date] under Schedule 5 of the Environmental Planning and Assessment Act, 1979.

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/Attached Documents:

2023/614448-01	Fire and Rescue NSW Report dated 10 October 2023
2023/614463	Corrective action letter dated 25 October 2023

Trim Reference: 2023/614448

CSM reference No#: 3064992

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File Ref. No: BFS23/4368 (29971)
TRIM Ref. No: D23/95005
Contact: [REDACTED]

10 October 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
'JOHANNA O'DEA COURT'
23-25 PYRMONT BRIDGE ROAD, CAMPERDOWN ("the premises")**

Fire and Rescue NSW (FRNSW) received correspondence on 3 August 2023 concerning the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated in part that:

- *My concerns are that the Fire Hoses are being used for Cleaning.*
- *Secondly, the Stairwells are being obstructed by Mattresses and Stolen? Goods.*

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 17 August 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
Fire Safety Compliance Unit

1 Amarina Ave
Greenacre NSW 2190

T (02) 9742 7434
F (02) 9742 7483

www.fire.nsw.gov.au

Page 1 of 8

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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

FRNSW had previously inspected the subject premises and refers Council to FRNSW Inspection Report Reference D22/14229 dated 14 March 2022 (see Appendix 1).

FRNSW received correspondence from Council in response to FRNSW inspection report on 23 June 2022, advising Council has prepared and issued a Notice of Intention to issue an Order Reference: FIRE/2022/27 dated 31 May 2022. A copy of the 'Proposed Order' was provided which appears to cover the concerns raised by FRNSW following the initial inspection. It is unclear whether Council has issued the Order and the status of any such Order.

Notwithstanding this, the following comments are provided following the inspection on 17 August 2023.

1. Essential Fire Safety Measures

- 1A. Automatic Fire Detection and Alarm System and Building Occupant Warning System – The building appears to be provided with a combined smoke alarm and smoke detection system, consisting of AS1670 smoke detectors throughout the fire-isolated stairways and electrical cupboards (along the external balconies) and AS1670 thermal detectors in the Sole Occupancy Units (SOU's) which are connected to the Fire Brigade Panel in the ground floor lobby, and stand-alone AS3786 smoke alarms within the SOU's, in accordance with Clause E2D5 and Specification 20 (Clause S20C3 and S20C4) of the National Construction Code 2022, Volume 1 Building Code of Australia (NCC).

The following was observed at the time of the inspection:

- A. Zone Block Plan - a permanent, water and fade resistant zone block plan, depicting all the relevant information of the installation, was not securely mounted adjacent to the Fire Brigade Panel (FBP), contrary to the requirements of Clause 3.10 of AS1670.1-2018.
- B. Building Occupant Warning System (BOWS) – It appears sounders are installed in various locations along the external balconies, however it could not be determined whether the BOWS would sound through all occupied areas of the building to achieve the required dB(A) levels in accordance with Clause S20C7 of Specification 20 of the NCC and AS 1670.1.

1B. Fire Doors:

- A. Maintenance - Multiple fire doors throughout 'the premises' had not been maintained in accordance with the requirements of Section 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021). The following issues were identified at the time of the inspection:
 - i. Multiple fire doors to the electrical cupboards (along the external balconies) were either damaged, had self-closing devices that were removed, disengaged or broken or failed to return to the fully closed position (and self-latch) after each opening when tested, contrary to the requirements of Clause C3D14 and Specification 12 of the NCC and AS1905.1.
 - ii. Multiple fire doors to the fire-isolated stairways were fitted with magnetic hold open devices which were broken and had not been maintained and the fire door was 'choked' in the open position, therefore preventing the door from self-closing or automatic closing, contrary to the requirements of Clause C4D9 and Specification 12 of the NCC and AS1905.1.

1C. Annual Fire Safety Statement (AFSS):

- A. A copy of the current AFSS was not prominently displayed within the building in accordance with Section 89 of the EPAR 2021.

2. Fire Safety Offences

- 2A. Fire Exits - There were multiple items being stored along the external balconies and stair landings, which were reducing the egress widths of the paths of travel to the external stairways and were capable of obstructing the free passage of persons using the exits, contrary to the requirements of Section 109 of the EPAR 2021.

3. Access and Egress

3A. Barrier climbability:

- A. The balustrades to the external balconies, which are more than 4m from the floor level to the surface beneath, contain perforations in the zone between 150mm and 760mm above the balcony floor level, which may be considered a horizontal element which facilitates climbing, contrary to the requirements of Clause D3D20 of the NCC.

4. Generally

- 4A. Effective Height – The building appears to achieve an effective height exceeding 25m, as defined by the NCC. In this regard, buildings achieving an effective height exceeding 25m have more onerous

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requirements than a building with an effective height of 25m or under. In this regard, the following issues, but not limited to these issues, have been identified with the building:

- i. Automatic Fire Suppression System – The building is not provided with a sprinkler system throughout, contrary to the requirements of Clause E1D5 of the NCC. In this regard, the only visible sprinklers throughout the building were installed within the carpark areas on the ground floor level, with sprinkler coverage not extended throughout the residential levels.

It is recommended that Council consider compelling the owners to upgrade the sprinkler system to extend through all area of the building to comply with Clause E1D4 of the NCC.

- ii. Stair Pressurisation System - The fire-isolated stairways were not provided with an air pressurisation system complying with AS 1668.1, contrary to the requirements of Clause E2D4 of the NCC.
- iii. Emergency Warning and Intercom System – The building is not provided with an emergency warning and intercom system, complying with AS 1670.4, contrary to the requirements of Clause E4D9 of the NCC.
- iv. Fire Control Centre – The building is not provided with a Fire Control Centre, contrary to the requirements of Clause E1D15 and Specification 19 of NCC.

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

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Review items 1 to 4 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.

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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 BFS23/4368 (29971) regarding any correspondence concerning this matter.

Yours faithfully

[REDACTED]

[REDACTED]
Fire Safety Compliance Unit

Attachment: [Appendix 1 – FRNSW Inspection Report Ref: D22/14229 dated 14/03/2022]

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Appendix 1 – FRNSW Inspection Report Ref: D22/14229 dated 14 March 2022

Unclassified



File Ref. No: BFS21/3678 (17572)
TRIM Ref. No: D22/14229
Contact: [REDACTED]

14 March 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
JOANNA ODEA APARTMENTS
23-25 PYRMONT BRIDGE ROAD CAMPERDOWN ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence on 11 October 2021, in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- *The fire hydrant system pumpsets have operated on numerous occasions and are being vandalised, run out of fuel and failed to operate during a fire situation.*

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 29 October 2021 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)

Fire and Rescue NSW	ABN 12 563 473 110	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
Firesafety@fire.nsw.gov.au		Page 1 of 3

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requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

COMMENTS

The following items were identified as concerns during the inspection:

1. Essential Fire Safety Measures
 - 1A. Fire Hydrant System
 - A. FRNSW responded to a unit fire at the premises, 9 October 2021. Firefighters connected to the attack fire hydrant on level five (5) to combat the fire but found the on-site fire hydrant pumpsets were not operational and there was no water to conduct firefighting operations.
 - B. During the period, 1 January 2021 to 11 October 2021, FRNSW responded to the premises on 49 occasions as a result of the fire hydrant pumpsets operating. On multiple occasions it was found that residents used fire hose reels, which are connected to the hydrant system, to clean the balconies.
 - C. Both the diesel fire hydrant pumpsets were offline at the time of the inspection contrary to the requirements Clause 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 21)
 - D. Officers from the responding fire stations advised the reporting officer that, unauthorised access to the pumpset enclosure has seen the isolation of the pumpset crank control switch, diesel fuel lines being turned to the 'OFF' position and damage to the external bell. At the time of the fire the diesel pumpset did not contain any diesel fuel.
 - E. The two diesel pumpsets are installed in series with the fire hydrant booster assembly. A full-flow by-pass with non-return valve is not installed contrary to the requirements Clause 7.6 of Australian Standard (AS) 2419.1-2005. As a result, FRNSW are unable to provide full flow to the fire hydrant installation at the premises when pumping from a fire brigade appliance.
 - i. FRNSW revisited the premises 25 February 2022 and found a single, full flow bypass with non-return valve had been installed serving two pumpsets.
 - F. The rooftop pumpset is out of service. Land and Housing Corporation representatives advised FRNSW that the pump was to be decommissioned.

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- G. Multiple handwheels were not provided with adequate clearances contrary to the requirements of Clause 3.5.2 of AS 2419.1-2005.
- 1B. FRNSW were advised by Land and Housing that an additional pumpset was being installed at the premises to counteract the reduction in pressure in the hydrant system as a result of cleaning procedures at the premises.
- 2. Automatic Fire Sprinkler System
 - 2A. The fire hydrant block plan states the highest hydrant is 39 metres. An automatic fire sprinkler system is not installed in the residential part of the building.

FRNSW is therefore 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 through to item no. 2 of this report be addressed appropriately.

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] Fire Safety Compliance Unit or [redacted]. Please ensure that you refer to file reference BFS21/3678 (17572) for any further correspondence in relation to this matter.

Yours faithfully

[redacted signature block]

Fire Safety Compliance Unit