

Attachment B

**Inspection Report
288-310 Wattle Street, Ultimo**

288-310 Wattle Street, Ultimo



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Notes

31/10/2023

**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: Fire/2022/82

Officer: Joe Kalgovas

Date: 27/10/2023

Premises: 288-310 Wattle Street, Ultimo

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on 20 December 2023 with respect to matters of fire safety.

The premises consists of a thirteen-level building with ground floor shops and residential apartments above over basement carparking.

An inspection undertaken by a Council investigation officer in the presence of the Building Manager of the issues identified by FRNSW revealed no significant fire safety issues.

The building is currently under a Fire Safety Order (FSO) addressing proper provision for the detection, controlling and extinguishment of fire and adequate provision for escape in the event of a fire emergency. The FSO requires completion by 12 April 2024

It is considered the fire safety works identified by FRNSW are of a degree which can be addressed by routine and corrective maintenance actions undertaken by the owner's fire service contractor(s) through written instruction from Council.

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
20/10/2023	FRNSW correspondence received regarding premises 288-306 Wattle Street Ultimo – correct address is 288-310 Wattle Street, Ultimo.
01/11/2023	An inspection of the subject premises was undertaken by a Council officer which confirmed issues identified by FRNSW.
03/11/2023	Issued correspondence to owners to rectify the identified issues.

FIRE AND RESCUE NSW REPORT:

References: BFS23/5286 (30845) D23/101563, Trim reference 2023/605243.

Fire and Rescue NSW conducted an inspection of the subject premises on 21 September 2023 after receiving an enquiry about the adequacy of the provision for fire safety.

Issues

The report from FRNSW detailed a number of issues which are tabled below:

Issue	City response
1. Essential Fire Safety Measures	
1A. Fire Hydrant System	
A. The location and orientation of the feed hydrants at the fire hydrant booster assembly were not at right angles to the face of the wall, nor had sufficient clearance to be easily accessible for connection of the hose to undertake firefighting operations, contrary to the requirements of Clause 5.3.2 of AS 2419.1-1994.	Feed hydrants were not found to be at right angles. Feed hydrants at the fire hydrant booster assembly are to be reset to be at right angles to the face of the wall with sufficient operational clearance in accordance with Clause 5.3.2 of AS 2419.1-1994.
B. The access door from Wattle Street to the hydrant pump room, was not provided with adequate identification signage, so that it can be readily located by the attending fire brigade. In this regard, FRNSW recommend signage be installed to all doors leading to the hydrant pump room in accordance with Clause 6.4.1 of AS 2419.1-2005.	Signage has not been provided. Signage is to be provided to the Wattle Street hydrant pump room in accordance with Clause 6.4.1 of AS 2419.1-2005.
C. FRNSW are of the opinion that the fire hydrant booster is installed in-series with the hydrant pump set. Warning signage and a 150mm pressure gauge is not installed at the booster enclosure in accordance with Clause 5.7 of AS 2419.1-1994.	Signage and 150mm pressure gauge were not installed. Warning signage and a 150mm pressure gauge are to be installed at the booster enclosure in accordance with Clause 5.7 of AS 2419.1-1994.
1B. Smoke Detection and Alarm System (SDAS)	
A. The Stage 2 Fire Indicator Panel (FIP) displayed one (1) fault relating to Zone Detector Building C Level 4 lobby being in fault. A technician from Forte Asset Fire Service stated that, as per the requirements of the Fire Safety Order, the SDAS system was in the process of being upgraded in order to combine the two separate FIPs to one Fire Control Room in Tower 1, due to the current issues throughout the 4 towers. Accordingly, no enforcement action was taken by FRNSW.	Fault identified was found to be continuing and is required to be rectified.
B. The doors leading to the Fire Indicator Panel (FIP) in Tower 1 were not marked with the words FIRE PANEL contrary to the requirements of Clause 3.9.2 of AS 1670.1-2004.	Signage to doors leading to the Fire Indicator Panel in Tower 1 are to be provided in accordance with Clause 3.9.2 of AS 1670.1-2004.
1C. Maintenance	
A. The artificial and emergency lighting in the Stage 2 Fire Control Room was not operational contrary to the requirements of Section 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.	Issue resolved

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

FRNSW Recommendations

FRNSW have recommended that Council inspect the subject premises and review the items in their report and address any other deficiencies identified.

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	Gited 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 officers it was determined to issue the owners of the building a compliance letter of instruction to rectify the identified fire safety deficiencies noted by Council and FRNSW.

Trim Reference: 2023/619712

CSM reference : 3071218

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File Ref. No: BFS23/5286 (30845)
TRIM Ref. No: D23/101563
Contact: Fire Safety Officer David Weekes

20 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 General Manager

**Re: INSPECTION REPORT
ACACIA GARDENS
288-306 WATTLE STREET ULTIMO ("the premises")**

Fire and Rescue NSW (FRNSW) received correspondence on 15 September 2023 concerning the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- *Incident 165032: 18:44 on 15 Sep 23, AFA #: 0038051CP18*
- *On arrival the strobe outside the FIP access door to carpark FIP was not flashing. Accessed Sprinkler room in carpark where FIP located, only showing Fault level 4 building C lobby. Note: Fluro light in sprinkler room faulty, only able to read FIP by torchlight.*
- *Crew investigated lobby level 4, building C. No activation of detector - went into pool area & located sounding detectors in building 2, level 2. However, smoke detectors not illuminated as activated. Note: Confusion as site plan in Sprinkler room carpark FIP labels buildings A,B,C,D while FIP in reception area when discovered behind blank door not labelled FIP, buildings are identified as 1,2,3,4.*
- *Activation on FIP in Reception area showed Zone 7. On Site Plan, Zone 7 is "All Common Areas"- that is on site plan. All four buildings, all lift lobby's & pool*

Fire and Rescue NSW

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area. are Zone 7!!! An impossible sized area to search: 4 residential buildings of more than 6 - 11 levels.

- Request better identification of location of activated detector. Unable to locate an EWIS panel- unless the FIP in reception was linked. However only had sounding alarm, no speech instructions & did not have a microphone to make announcements.
- Cladding Taskforce April 2018 identified that these 4 buildings of 6 to 11 levels are "Potential Cladded Building". Security was on site to assist, but did not appear familiar with the buildings.

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 21 September 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.

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

This report is limited to observations and sections of the building accessed at the time of the inspection. As such, this report lists potential deviations from the National Construction Code 2022 Building Code of Australia – Volume One (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed may relate to the building's age or contradict development consent approval.

FRNSW understands that the premises is currently subject to a Fire Safety Order (Council Ref: FIRE/2022/82). Discussions held with building management and a representative of Forte Asset Fire Service, confirmed that some of the essential fire safety measures installed in the building are currently in the process of being upgraded.

Taking that into consideration, the following items were identified during the inspection:

1. Essential Fire Safety Measures
 - 1A. Fire Hydrant System
 - A. The location and orientation of the feed hydrants at the fire hydrant booster assembly were not at right angles to the face of the wall, nor had sufficient clearance to be easily accessible for

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connection of the hose to undertake firefighting operations, contrary to the requirements of Clause 5.3.2 of AS 2419.1-1994.

- B. The access door from Wattle Street to the hydrant pump room, was not provided with adequate identification signage, so that it can be readily located by the attending fire brigade. In this regard, FRNSW recommend signage be installed to all doors leading to the hydrant pump room in accordance with Clause 6.4.1 of AS 2419.1-2005.
 - C. FRNSW are of the opinion that the fire hydrant booster is installed in-series with the hydrant pump set. Warning signage and a 150mm pressure gauge is not installed at the booster enclosure in accordance with Clause 5.7 of AS 2419.1-1994.
- 1B. Smoke Detection and Alarm System (SDAS)
- A. The Stage 2 Fire Indicator Panel (FIP) displayed one (1) fault, relating to Zone Detector Building C Level 4 lobby being in fault.

A technician from Forte Asset Fire Service stated that, as per the requirements of the Fire Safety Order, the SDAS system was in the process of being upgraded in order to combine the two separate FIP's to one Fire Control Room in Tower 1, due to the current issues throughout the 4 towers. Accordingly, no enforcement action was taken by FRNSW.
 - B. The doors leading to the Fire Indicator Panel (FIP) in Tower 1 were not marked with the words FIRE PANEL, contrary to the requirements of Clause 3.9.2 of AS 1670.1-2004
- 1C. Maintenance
- A. The artificial and emergency lighting in the Stage 2 Fire Control Room was not operational, contrary to the requirements of Section 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

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

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Review items 1A, 1B & 1C of this report and conduct an inspection.
- b. Address any other deficiencies identified on "the premises".

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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 Fire Safety Officer David Weekes of FRNSW's Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call (02) 9742 7434 if there are any questions or concerns about the above matters. Please refer to file reference BFS23/5286 (30845) regarding any correspondence concerning this matter.

Yours faithfully



Conor Hackett
Senior Building Surveyor
Fire Safety Compliance Unit