

Attachment H

**Inspection Report
25 Geddes Avenue, Zetland**



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Notes

1/10/2021

**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 3084674

Officer: Tanya O’Casey

Date: 20/12/2023

Premises: “Uno Jade Apartments” 25 Geddes Ave, Zetland

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on 10 November 2023 with respect to matters of fire safety.

The site known as “Uno Jade Apartments” consists of a mixed-use development comprising 3 buildings of 9 storeys, 11 storeys and 15 storeys respectively above two levels of basement car parking. The development is mixed use and includes 330 apartments, & retail tenancies.

Inspections of the buildings undertaken by a Council investigation officer in the presence of the Building Manager revealed that the premises had some minor fire safety maintenance matters to be attended to.

The buildings are otherwise equipped with numerous fire safety systems (both active and passive) that provide adequate provision for fire safety.

Council investigations have revealed that whilst there were minor fire safety “maintenance and management” works to attend to, the overall fire safety systems provided within the subject buildings are considered adequate in the circumstances.

The above fire safety works were addressed through routine preventative and corrective maintenance actions undertaken by the owner’s fire service contractor(s) after instruction from Council and Fire and Rescue NSW.

Date	Event
17/10/2023	An inspection of the subject premises by Council investigation officer revealed the following fire safety issues at the time of inspection. <ul style="list-style-type: none"> - The Automatic Fire Detection and Alarm System – disablement and faults to be rectified. - Zone Block plans to be framed and fixed next to the fire indicator panel and sub panels. - Current annual fire safety statement installation to all building entrances. - Smoke alarms within Unit 1207 to be reinstated with batteries reinstalled. At the time of the inspection the Council investigation officer oversaw the installation of batteries to the smoke alarms in Unit 1207 and was advised that the Automatic fire detection and alarm system errors were in the process of being rectified.
10/11/2023	FRNSW correspondence received regarding premises “Uno Jade Apartments” 25 Geddes Ave, 6, 12 & 18 Paul Street and 113 Portman Street Zetland.
30/11/2023	Contact was made with the building manager and advice given that all zone block plans are required to be framed and fixed to the walls adjacent to the fire indicator panels and that copies of the current annual fire safety statement are to be provided to all building entrances.
20/12/2023	Followed up with the building manager, and evidence of all required fire safety system maintenance works having been completed was provided.
21/12/2023	Follow up inspection at building confirmed all above has been completed

FIRE AND RESCUE NSW REPORT:

References: File Ref. No: BFS23/5807 (31282) TRIM 2023/647153

Fire and Rescue NSW conducted an inspection of the subject buildings on 18 October 2023 in response to correspondence received on 10 October 2023 concerning the adequacy of the provision of fire safety in connection with ‘the premises’.

Issues The report from FRNSW detailed several issues:

Ref.	Issue	City response
Essential Fire Safety Measures:		
1A	The Automatic Fire Detection and Alarm System:	
A.	The Fire Brigade Panel (FBP) was displaying: i. One (x1) disablement identified as ‘Zone 086 address 84’. ii. Two (x2) faults identified as ‘Zone 004 – Bdg A Lev 1 Water Meter Cab Adj Unit 101’ and ‘Zone 019 – Bdg A Ground Shop 1 Kitchen’.	Issue resolved
B.	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) (or at the sub panels), contrary to the requirements of Clause 3.10 of AS1670.1-2018.	Issue resolved
1B	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 Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021).	Issue resolved

FRNSW 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: All matters resolved; no enforcement action necessary.

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

1. Inspect the subject premises and take action to have the identified fire safety issues appropriately addressed.
2. Address any other deficiencies identified on “the premises”.
3. 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

Inspections undertaken by a Council investigation officer in company with the manager of the premises revealed that the above recommendations of FRNSW have been complied with and that the current Fire safety measures in the buildings are adequate.

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:

2023/726920-01	FRNSW S9.32 report dated 10 November 2023
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Trim Reference: TRIM 2023/726920

CSM reference No#: 3084674

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File Ref. No: BFS23/5807 (31282)
TRIM Ref. No: D23/108551
Contact: Mark Knowles

10 November 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
'UNO & JADE APARTMENTS'
25 GEDDES AVENUE, 6, 12 & 18 PAUL STREET AND 113 PORTMAN
STREET, ZETLAND ("the premises")**

Fire and Rescue NSW (FRNSW) received correspondence on 10 October 2023 concerning the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated:

Dear Sir / Madam,

Re: A1207/25 Geddes Avenue, Zetland NSW 2017

I would like to raise a matter with both the City of Sydney and the Fire & Rescue NSW which, if allowed to continue could potentially have dire fire life safety consequences.

We recently arrived from the United Kingdom to spend time with family in Sydney and opted to stay in a short term let apartment in Zetland via Short Term Rentals Sydney (www.shorttermapartmentrentals.com.au) which, we found via the web. Once the required rental fees were paid, we received the attached email confirming details of the apartment and how we would receive the keys. The highlighted note on the email received, was the first red flag that

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
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something wasn't quite right about the way that this rental company rents out its properties. It appears that this apartment (and potentially other rental apartments in this building and elsewhere) are 'rented' to unsuspecting tourists and/or visitors 'under the radar' of the relevant Building Manager (XXXXXXX – XXXXXXXXXXX) of the Uno + Jade apartment buildings in Geddes Avenue.

The keys to apartment 1207 were dropped off in the unlocked letterbox a short time before 3pm on the day our short term lease began. We entered the apartment and that is when the main red flag was realised. Both of the ceiling mounted smoke detectors were open and the batteries had been removed rendering them inoperative – refer attached photos. I contacted 'XXXXX' via her mobile and raised concerns regarding the disabled smoke detectors and how this was potential a fire life safety risk not only for ourselves but also to the rest of the building occupants. XXXXX advised that the batteries had been removed from the smoke detectors as they were far too sensitive and would likely go off even when making toast. I reiterated that this was a safety concern for us and that she needed to arrange for someone to come and reconnect them without delay upon which, she stated that she would arrange a repairman to attend in the coming days and for us not to be concerned. Needless to say, nobody turned up.

Despite XXXXX's assurances for us not to be concerned I ended up purchasing a new smoke detector complete with batteries to use during our stay, as the units installed in the apartment has been dismantled to the point that even if you installed batteries they would not function.



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 18 October 2023.

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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

Whilst access was not available into the subject unit no. A1207 at the time of the inspection, to verify the validity of the concerns, discussions with the Building Manager at the time of the inspection revealed the following:

- The Strata by-laws does not permit the use of any unit in the scheme to be used as short-term accommodation and the Building Manager advised FRNSW that such breach would be investigated by building management.
- The Building Manager would ensure that the concern relating to the smoke alarms would also be investigated and the smoke alarms would be re-instated.

Notwithstanding this, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.

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:

A. The Fire Brigade Panel (FBP) was displaying:

- i. One (x1) disablement identified as 'Zone 086 address 84'.
- ii. Two (x2) faults identified as 'Zone 004 – Bdg A Lev 1 Water Meter Cab Adj Unit 101' and 'Zone 019 – Bdg A Ground Shop 1 Kitchen'.

The Building Manager advised FRNSW at the time of the inspection that he was aware of the disablement and faults on the FBP and that action had already commenced to repair the issues identified.

Notwithstanding this, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.

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- B. 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) (or at the sub panels), contrary to the requirements of Clause 3.10 of AS1670.1-2018.

1B. 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 Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021).

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

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Review item 1 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 Mark Knowles 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 BFS23/5807 (31282) regarding any correspondence concerning this matter.

Yours faithfully



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit