

Attachment B

**Council Officer Inspection Report,
591 George Street, Sydney**

591 George Street, Sydney



Douglass Lane

Eagar Street

Eagar Lane

George Street

Goulburn Street

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1:500 at A4
02/03/2018



**Council officer Inspection and Recommendation Report
Schedule 5, clause 17 of the Environmental Planning and Assessment Act 1979 (the Act)**

File: Fire/2018/10

Officer: J. Kalgovas

Date: 1 March 2018

Premises: 591 George Street, Sydney

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises at 591 George Street, Sydney, with respect to matters of fire safety.

The building is a high rise twin tower mixed use office and apartment building including ground floor retail and basement car parking.

Observation of the external features of the building did not identify metallic sheet cladding.

The annual fire safety certification for the building is current and compliant. The annual fire safety certification was on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

The premises are equipped with numerous (28) fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire.

A joint inspection by Council and FRNSW officers 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. The required works include maintenance of the fire alarm system, keeping exit ways clear of obstructions, sealing penetrations in fire resisting construction and rectification of the closing operation of fire doors.

It is considered that the scope of the above fire safety works are of a degree which require a fire safety order be addressed to the owner of the building.

Council investigations have revealed that the premises are deficient in the provisions for fire safety and that an order under Section 9.34 and Schedule 5, Part 2 of the Environmental Planning and Assessment Act 1979 is required to be issued so as to ensure and promote adequate facilities for fire safety/fire safety awareness.

Chronology:

Date	Event
29/11/2017	<p>Joint inspection by Council officer carried out with Authorised Fire Officers at the request of FRNSW noting certain fire safety measures had not been adequately maintained.</p> <p>The inspection identified several items relating to maintenance of the fire alarm system, obstruction of exit ways, inadequate sealing of service penetrations and the non-compliant operation of self-closing doors.</p> <p>Façade check was also undertaken in relation to external wall cladding.</p> <p>As a result of the inspection FRNSW issued an emergency order on 29 November 2017 to address maintenance of the fire alarm system and obstruction of exit ways.</p>

	FRNSW reinspected the building on 30 January 2018 and found the order to be complied with.
13/02/2018	Received FRNSW correspondence concerning fire safety at premises referred to as 589-593 George Street, Sydney. Council knows the building by address 591 George Street Sydney.
14/02/2018	Desktop review undertaken.

FIRE AND RESCUE NSW REPORT:

References: [FRNSW - D18/8074, 2018/075798-03]

FRNSW conducted a joint inspection of the subject premises under S. 119T (4) of the Environmental Planning and Assessment Act 1979, after receiving correspondence in relation to the adequacy of the provision of fire safety.

Issues

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

1. maintenance works required rectify faults and isolations to the fire alarm system;
2. some exit ways were obstructed by a variety of miscellaneous items;
3. pipes pass through fire resisting wall construction without adequate sealing being installed;
4. several doors had non-compliant self-closing operation.

FRNSW issued an emergency order dated 29 November 2017 to have items 1 and 2 above rectified.

On 30 January 2018 FRNSW carried out a reinspection and found that the terms of the emergency order were compliant.

Items 3 and 4 above have been referred to Council for investigation.

FRNSW Recommendations

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;

FRNSW has referred the matter to Council as the regulatory authority and have also requested that as soon as practical after the above recommendations have been tabled and considered that notice of any determination in respect of the recommendations is forwarded to them in accordance with Section 121ZD (4) of the Environmental Planning and Assessment Act 1979.

COUNCIL OFFICER RECOMMENDATIONS:

Issue Order (NOI)	Emergency Order	Compliance letter of instruction	Cited Matters found to be compliant	Other

As a result of a site inspection undertaken by a Council investigation officer it is recommended that Council exercise its powers to give a notice of intention (NOI) for a Fire Safety Order under Section 9.34 and Schedule 5, Part 2 of the Environmental Planning and Assessment Act, 1979 to address the fire safety deficiencies identified by FRNSW and Council's building officer.

The issue of a fire safety order will ensure that suitable fire safety systems are in position throughout the building to provide improved and adequate provisions for fire safety.

That the commissioner of FRNSW be advised of Council's actions and outcomes.

Referenced documents:

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2018/075798-03
A2.	Locality Plan	2018/075798-02
A3	Attachment cover sheet	2018/075798-01

Trim Reference: 2018/075798

CSM reference No#: 1848693



File Ref. No: BFS17/2597 (1866)
TRIM Ref. No: D18/8074
Contact: Station Officer [REDACTED]

12 February 2018

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
SUNLORD TOWER AND CASSIA GARDEN
589-593 GEORGE STREET SYDNEY ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence on 1 November 2017, in relation to the adequacy of the provision for fire safety in or in connection with 'the premises'.

The correspondence stated that:

- *It appears when speaking with [REDACTED] the building management are not paying bills so they are hesitant to attend and remedy faults and service the installations properly. We attended this premises 6 times this last shift alone and that was after isolating up to 25 faulty alarms and having the servicing company attend and attempt to resolve issues with no result.*

The FIP itself appears to have electrical or wiring issues are alarms multiply in different levels and areas of the building for no apparent reason or cause.

The fire stairs are in a disgraceful state - absolutely covered from top to bottom with cigarette butts, refuse and other materials . The smell of urine in the stairs by itself is bad enough ...

The sprinkler installation for the premises appears to have an issue that is possibly with alarm valves not reseating once activated as in particular installation 4 just constantly attempts to re-pressurise itself whilst at the same time water is running out numerous drain valves from the same system.



Due to this we had to isolate jacking pumps and the installation itself.

BGA alarms in the isolated fire stairs are (manual call points) have been cracked and are too numerous to list here.

Pursuant to the provisions of Section 119T (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 29 November 2017 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW along with Council Officer, [REDACTED]

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 119T (4) and Section 121ZD (1) of the EP&A Act. Please be advised that Section 121ZD (2) 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 at the time of the inspection:

1. The Fire Indicator Panel (FIP) displayed 46 faults and 11 isolations, contrary to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation);
2. Smoke detectors in the carpark were found to have dust caps installed, contrary to the requirements of Clause 182 of the EP&A Regulation;
3. The Alarm Signalling Equipment (ASE) displayed a fault which indicated that one of the communication lines to a Third-Party Provider was disconnected, contrary to the requirements of Clause 182 of the EP&A Regulation;
4. The free passage of persons to a final exit door in fire isolated passageways and stairwells were obstructed by building material, furniture and general rubbish, contrary to the requirements of Clause 184 of the EP&A Regulation and Clause D1.6 of the National Construction Code 2016 Volume One, Building Code of Australia (NCC);
5. Garbage bins were stored in the path of travel to egress doors in the B1 carpark, contrary to the requirements of Clause 186 of the EP&A Regulation;

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Compartmentation

6. Multiple PVC pipe pass through fire walls into fire isolated corridors without adequate means to prevent the spread of fire and smoke to other areas of the building, contrary to the requirements of Clause C3.9 of the NCC;
7. The sliding fire door in the B1 carpark was isolated from automatic operation due to the placement of building material against the door, contrary to the requirements of Clause C3.6 of the NCC;
8. The doors in the B1 garbage room did not return to a fully closed position automatically, contrary to the requirements of Clause C3.5 of the NCC.

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

FIRE SAFETY ORDER NO. 6

The inspecting Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW issued an Order No. 6, dated 29 November 2017, in accordance with the provisions of Section 121B of the EP&A Act, to have item no. 1 through to item no. 5 of this report rectified.

In accordance with the provisions of Section 121ZE of the EP&A Act, a copy of the Order is attached for your information. FRNSW has conducted further inspections of the building to assess compliance with the terms of this Order.

In this regard, FRNSW does not consider Council is required to take action in relation to item no. 1 through to item no. 5 of this report.

RE-INSPECTION

Pursuant to the provisions of Section 119T(1)(b) of the EP&A Act and Clause 189(a) of the EP&A Regulation, multiple inspections of the premises were conducted between the 8 December 2017 and 30 January 2018 by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

At the time of an inspection on 30 January 2018, the terms of 'the order' issued on 'the premises' were compliant. Please be advised that 'the order' is not an exhaustive list of non-compliances, it is at Council's discretion to inspect and address any other deficiencies identified on 'the premises'.



RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address item no. 6 through to item no. 8 of this report and 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 Section 121ZD (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Station Officer [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS17/2597 (1866) for any future correspondence in relation to this matter.

Yours faithfully



Building Surveyor
Fire Safety Compliance Unit

Attachment: [Appendix 1, Emergency Fire Safety Order – Two - pages]

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Emergency Fire Safety Order

Under the *Environmental Planning and Assessment Act 1979*
 Part 6 - Implementation and Enforcement: Division 2A - Orders
 Tables to Section 121B: Emergency Order No. 6 - Fire Safety Order

Please note

- Pursuant to Section 121ZC (2) of the Act, this Order has been given as an Emergency Order as the issuing officer believes activity or deficiencies identified constitute an emergency or a serious risk to safety.
- Pursuant to Section 121ZK (2) of the Act, there is no right of appeal against this Order
- Failure to comply with this Order may result in further Orders and/or fines being issued.
- Substantial penalties may be imposed under Section 125 of the Act for failure to comply with an Order.

I, [REDACTED] (name) **Station Officer** [REDACTED] (rank) [REDACTED] (number)

being an authorised Fire Officer within the meaning of Section 121ZC of the *Environmental Planning and Assessment Act 1979*, and duly authorised for the purpose, hereby order:

The Proprietors of Strata Plan 75686 (name of person whom Order is served) **Owner** (position i.e. owner, building manager)

with respect to the premise

'SUNLORD TOWER & CASSIA GARDEN'
589-593 GEORGE STREET, SYDNEY ("the premises")
(name/address of premises to which Order is served)

to do, or refrain from doing, the following things:

1. Ensure the Automatic Smoke Detection and Alarm System installed in 'the premises' is fully operational, by:
 - a. Removing all faults and isolations displayed on the Fire Indicator Panel (FIP).
 - b. Removing the dust cap covering the smoke detector located adjacent to the sliding fire door on the B1 carpark level.
2. Ensure the Alarm Signalling Equipment (ASE) continually monitors 'the premise' by:
 - a. Repairing or re-instating the secondary/backup telecommunications link

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3. Clear all building material, rubbish and other items from the fire-isolated stairways, passageways and corridors throughout 'the premises'.
4. Remove all garbage bins stored in the path of travel to the exit on the B1 carpark level.

The terms of the Order are to be complied with:

By no later than 1200 hours on the 8 December 2017

The reasons for the issue of this Order are:

- a. At the time of the inspection, the Fire Indicator Panel (FIP) was displaying forty-six (46) faults and eleven (11) isolations.
- b. At the time of the inspection, the smoke detector located adjacent to the sliding fire door on the B1 carpark level, was covered with a plastic cap.
- c. At the time of the inspection, the Alarm Signalling Equipment (ASE) was displaying a primary link failure, indicating a secondary/backup telecommunications link error.
- d. A conversation with the nominated Automatic Fire Alarm Service Provider (AFASP), at the time of the inspection, revealed that the secondary/backup PSTN landline telephone link for the ASE was disconnected.
- e. The disconnection of the secondary communications link for the ASE means that in the event of a fire there is only one link to the emergency services. A single link is likely to compromise the life and safety of the occupants in an emergency as there is no backup link.
- f. At the time of the inspection, materials were stored/located within the fire-isolated stairways, passageways and corridors, throughout 'the premises'. The material included, but are not limited to, building material and products, garbage bins, furniture and general rubbish.
- g. At the time of the inspection, garbage bins were stored in the dedicated/marked path of travel to the exit on the B1 carpark level, hindering access to the fire-isolated stairway.
- h. Clearing all items within the fire-isolated stairways, passageways and corridors safeguard the occupants from illness or injury while evacuating in an emergency.
- i. To ensure that the Automatic Smoke Detection and Alarm System is capable to operating in accordance with the standard of performance it was designed and installed to.

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- j. To ensure that the ASE is capable to operating in accordance with the standard of performance it was designed and installed to.
- k. To ensure compliance with the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000
- l. The storage of items within the fire stairs, is contrary to the requirements of Clause 184, Clause 185 and Clause 186 of the Environment Planning and Assessment Regulations 2000.
- m. To ensure that fire safety measures installed throughout the premises are maintained and operating to their standard of performance.

This Order No. 6 was sent by mail on 29 November 2017



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