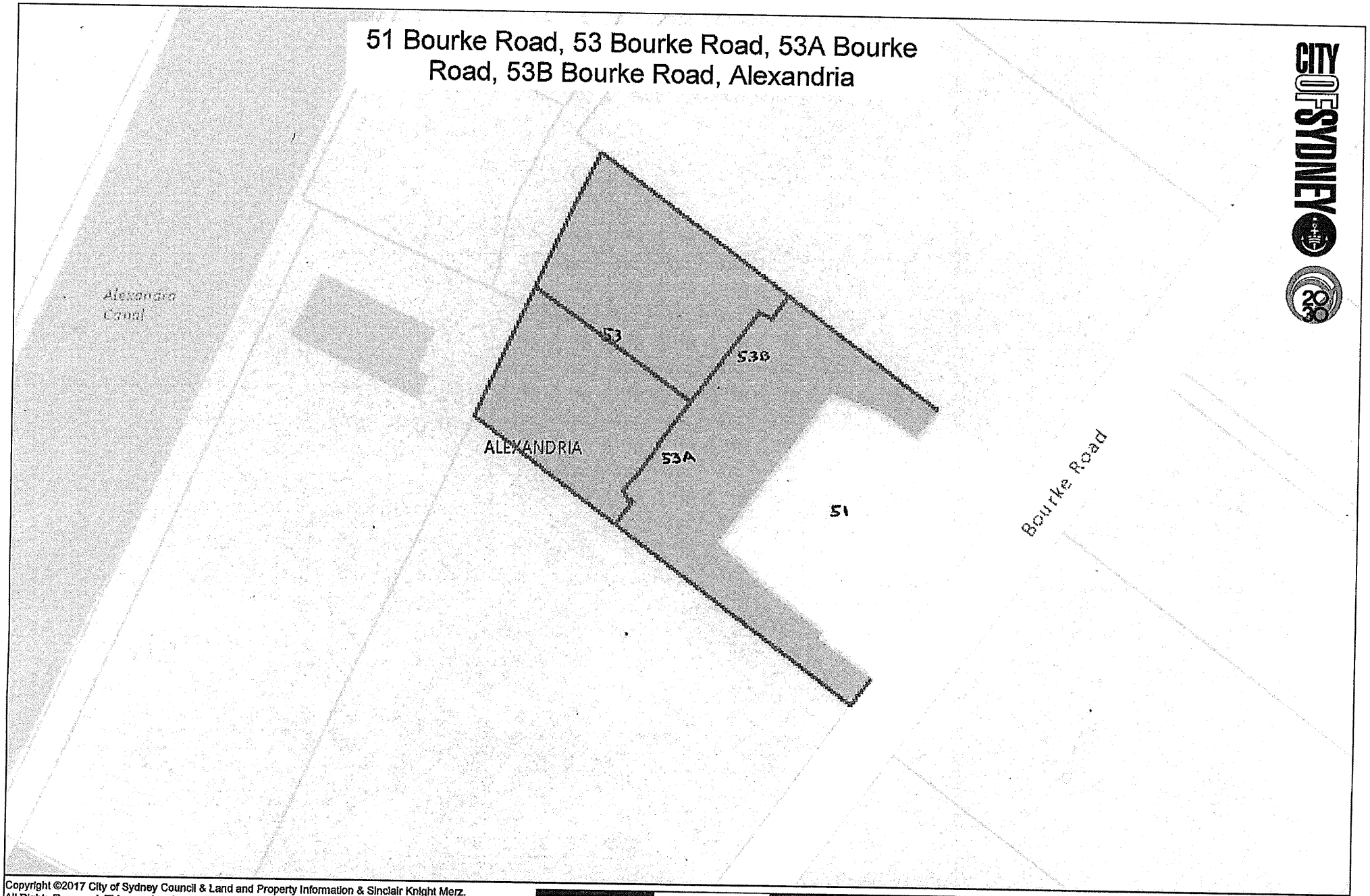
Attachment C

Council Officer Inspection Report,
51-53 Bourke Road, Alexandria

51 Bourke Road, 53 Bourke Road, 53A Bourke Road, 53B Bourke Road, Alexandria



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38 75 150 Meters

1:1,500 at A4

08/02/2018

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

File: CSM 1840156 **Officer:** Luke Jeffree **Date:** 13 March 2018

Premises: 51 & 53 Bourke Road, Alexandria - Unitex

Executive Summary:

Council at its meeting to be held on 19 March 2018 will consider a report (Attachment E) dated 8 February 2018 (2018/048173) and determine a proposed resolution *not to exercise its powers to issue an Order 6 at this time and as recommended by Council's Investigation Officer* so the building could be inspected to determine the appropriate action to take in the circumstances.

Council's Investigation Officer inspected the building on 1 March 2018 and this is the subsequent report for Council's consideration.

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) on 29 January 2018 and 9 March 2018 in relation to the subject premises with respect to matters of fire safety.

The site contains three (3) industrial/commercial buildings of varying sizes which are interconnected by means of one way vehicular circulation systems and a central raised carpark/docking platform within the site.

The site has an area of 10,442 square metres, located approximately 180 metres south of Huntley Street and has been subdivided several times since December 2005 creating four separate property addresses including; 51; 53; 53A and 53B Bourke Road Alexandria.

The buildings the subject of FRNSW enquiry include 'Unitex tenancy' (53A and 53B Bourke Road) and 53 Bourke Road (self- storage facility) comprising a four storey warehouse building situated at the rear of the site (rear building) and 51 Bourke Road, which is a two and four storey commercial/warehouse facing Bourke Road.

Council investigations have revealed that the premises 53, 53A and 53B Bourke Road, Alexandria are deficient in fire safety and egress provisions in the following areas:

(i) Inadequate facilities for firefighting (non-compliant fire hydrant block plans/FRNSW operational concerns regarding fire hydrant system);

(ii) Provision to prevent fire spread, to such extent to allow occupants to evacuate safely is deficient as an automatic suppression (sprinkler) system coverage does not extend to office levels;

(iii) Internal exit stairways are not fire isolated to protect persons evacuating during a fire emergency;

(iv) Lack of suitable fire resisting construction to the prevent the spread of fire (walls between office/ warehouse parts & defective fire shutters);

(v) Non-compliant exit travel distances within self-storage facility;

Council investigations have revealed that premises 53, 53A and 53B Bourke Road, Alexandria 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 (the Act) is required to be issued so as to ensure and promote adequate facilities for fire safety/fire safety awareness.

Further, the investigations at premises 51 Bourke Road Alexandria revealed that whilst there remains several minor fire safety "maintenance and management" works to attend to concerning system block plans and valves, the overall fire safety systems provided within this premises are considered adequate in the circumstances.

It is considered that the above fire safety works at 51 Bourke Road Alexandria are of a degree which can be addressed by routine preventative 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 buildings identified the existence of what appears to be metallic sheet cladding on the façades of the buildings at 51; 53A and 53B Bourke Road Alexandria. However it was unknown whether the cladding consisted of inner composite synthetic material. Therefore, it is recommended that Council write to the owners of properties 51; 53A and 53B Bourke Road Alexandria to undertake a review of the external wall cladding.

Chronology:

Date	Event
29/01/2018	FRNSW correspondence received regarding premises Unitex, 51-53 Bourke Street, Alexandria [known under council records as 51, 53, 53A and 53B Bourke Road Alexandria]
08/02/2018	Report prepared, to table FRNSW report to Council meeting to be held on 27 March 2018.
01/03/2018	A joint inspection of the subject premises was undertaken by Council officer with FRNSW officers. Also present during the inspection were the owners, strata managers and owner's fire services contractors. Council's officer found the current annual fire certification was on display within the main foyer of the buildings. The inspection revealed that fire exits within workspace as mentioned in FRNSW correspondence dated 29 January 2018 were no longer blocked. However the majority of FRNSW concerns regarding egress, essential fire safety measures and lack of fire separation & protection as stated their letter were non-compliant with the building regulations and applicable Australian Standards. FRNSW officer clarified their concerns regarding the inadequacies of the fire hydrant block plans displayed on site and advised that they are hampering FRNSW operations. It was observed by the Council officer that an exit door situated between the self-storage facility & Unitex carpark within the ground floor of the rear building was closed off by a concrete block wall. Council's investigation revealed the door is a required exit way to serve that part of the building. A fire safety order will require suitable compliant exit arrangements be provided. It was noted that a fire hydrant pump isn't installed to serve the rear building (53; 53A and 53B Bourke Road) and considered that the fire hydrant system may not achieve adequate pressure & flow at hydrant outlets. An audit of the fire safety measures including the fire hydrant system serving the rear building will be required as part of the intended Council fire safety order to ensure compliance with the relevant Australian Standards and completion of remedial works, as necessary. Observation of the external features of the buildings at 51, 53A and 53B Bourke Road Alexandria identified the existence of metallic sheet cladding on the façades of buildings. However it was unknown whether the cladding consists of inner composite synthetic material.

	Also the inspection revealed a number of additional fire safety deficiencies at premises 53, 53A and 53B Bourke Road including; 1. Lack of automatic sprinkler system coverage provided throughout office parts of rear building to control early fire development, fire and smoke spread; 2. Lack of fire separation in rear building between the warehouse and office areas; 3. Internal exit stairways serving office parts of rear building are not fire isolated; 4. Sprinkler system compliance concerning exhaust not being lagged, valve set not being housed in an enclosure and the pumproom door lock not provided with a FRNSW compatible lock;
09/03/2018	FRNSW correspondence received regarding premises Unitex, 51 and 53 Bourke Road, Alexandria [known under Council records as 51, 53, 53A and 53B Bourke Road Alexandria]
13/03/2018	Report prepared, to table FRNSW report to Council meeting to be held on 16 April 2018. It is considered by Council investigation officer that matters (1 & 2) raised in FRNSW correspondence dated 9 March 2018 relating to inadequate fire hydrant block plan and missing label to drencher isolation valves at premises 51 Bourke Road Alexandria are of a maintenance nature and can be remedied through the issue of a compliance letter. Follow-up compliance inspections will be undertaken by Council investigation officer to ensure the remedial works are complied with.

FIRE AND RESCUE NSW REPORT:

References: [D18/4618; 2018/037682, D18/14880; 2018/110447]

Fire and Rescue NSW conducted an inspection of the subject premises after receiving an enquiry in relation to the adequacy of the provision for fire safety in or in connection with the premises.

Issues

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

1. Concern regarding lack of fire separating construction between warehouse and office parts of building;

2. A lack of fire protection to service penetrations within certain parts of building;

3. Lack of automatic sprinkler system coverage provided throughout office parts of building;

4. Fire hydrant block plans unclear/ not in accordance applicable standard and concerns about inadequate pressure and flow in fire hydrant installation ;

5. A concern regarding a blocked off exit and whether this has made exit travel distance non-compliant with NCC ;

6. Fire shutters not operating and concerns regarding the fire resistance level of shutters;

7. Obstructions within paths of egress travel to open space and exits;

FRNSW Recommendations

FRNSW have made one recommendation within their reports. 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 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 Schedule 5, Part 8, clause 17(4) of the Environmental Planning and Assessment Act 1979.

COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:

Issue Order(NOI) - 53, 53A and 53B Bourke Road	~~Emergency Order~~	Compliance letter of instruction – 51 Bourke Road	~~Cited Matters rectified~~	~~Other (to specify)~~

As a result of a site inspection undertaken by Council investigation officers 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 at 53, 53A and 53B Bourke Road, Alexandria 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 identified buildings to provide improved and adequate provisions for fire safety

Further, as a result of site inspection undertaken by Council investigation officers it is recommended that the owner of the building at premises 51 Bourke Road Alexandria be issued with written instructions to rectify the identified fire safety deficiencies noted by FRNSW.

It is recommended that Council not exercise its powers to give a Fire Safety Order in relation to premises 51 Bourke Road Alexandria at this time.

Follow-up compliance inspections will be undertaken by a Council investigation officer to ensure already identified fire safety matters are suitably addressed and that compliance with the terms of Councils correspondence and the recommendations of FRNSW occur.

The owners of properties 51, 53A and 53B Bourke Road Alexandria will also be advised to engage an appropriately qualified person to undertake a detailed review of the external wall cladding to ensure that the product installed complies with the relevant requirements of the National Construction Code (Volume One).

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	2018/080893-01
A2.	Fire and Rescue NSW report	2018/080893-02
A3.	Locality Plan (cadastre)	2018/080893-03
A4	Attachment cover sheet	2018/080893-04

Trim Reference: 2018/080893 **CSM reference No#:** 1840156

Fire & Rescue NSW

File Ref. No: BFS17/2873 (2125)
TRIM Ref. No: D18/4618
Contact: Station Officer [redacted]

29 January 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 'UNITEX' 51-53 BOURKE STREET ALEXANDRIA ("the premises")

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

The correspondence stated that:

- Fire exits within the workspace are constantly blocked.

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 16 January 2018 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.

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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

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 2016, Volume 1 Building Code of Australia (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed outline concerns that may contradict development consent approval or relate to the building's age. In this regard, it is council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

The following items were identified as concerns during the inspection:

1. Essential Fire Safety Measures

1A. Annual Fire Safety Statement (AFSS) and a Fire Safety Schedule (FSS) – An AFSS and FSS could not be located. As such may not be considered prominently displayed at the premises contrary to the requirements of Clause 177 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg).

1B. Fire Shutter – It is unclear whether the fire sprinkler system and the roller shutters achieved the required fire resistance level required for separation between the two warehouses in accordance with Clause C3.5 of the NCC. In addition, the following were present at the time of the inspection.

A. Two of the three automatic closing fire shutters were prohibited from operation as a screwdriver had been inserted in the lowering mechanism preventing operation.

B. Display racks were installed under the fire shutter tracks which would interfere with the fire shutter operation.

1C. Fire Hose Reel (FHR) – The FHR cabinet on level two, outside On Trend Fashion, has PVC pipework connecting floors without adequate protection to prevent fire spread between floors contrary to the requirements of Clause C3.12 of the NCC.

1D. Fire Hydrant System – The two fire hydrant installations installed at the premises and appear to have different flow rate requirements. The block plans identified as 51-53 Bourke Road and 53 Bourke Road would typically require:

A. The depiction of the other fire hydrant booster assembly installed at the site;

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B. The display of the hydrant installation connected to the Unitex warehouse, the carpark or the commercial storage warehouse at the rear of the premises;

C. Consistent statements regarding the installations, relating to the number of attack hydrants and the flow rate characteristics within each installation;

D. The location of the drencher isolation valves to be displayed in accordance with Clause 7.11 (ix) of AS2419.1-2005;

1E. Block Plan – The block plan on the southern side of the premises depicts that there is potential for the hydrant installation when boosted by a firefighting appliance will circulate around the hydrant booster assembly and may not provide pressure and flow to the attack hydrants in the installation;

1F. Drenchers – It appears that the fire sprinkler drenchers are integrated in the fire hydrant installation to protect the opening at the roller shutter in the east building carpark. At the time of the inspection, the isolation valve or signage for the drenchers contrary to the requirements of Clause 3.3.2 of Australian Standard (AS) 2118.2-2010 could not be located.

2. Egress

2A. Trip Hazard – The path of travel to open space on the northern side of the building was impeded by a sewerage inspection plate that was raised approximately 150mm above the finished path level.

2B. Floor to Ceiling Height – The north-western fire stair of the warehouse (adjacent to Rack No. W2-20-M2) incorporates a concrete member which is installed at a height of approximately 1700mm which appears contrary to the requirements of Clause D1.6 of the NCC.

2C.

Egress Generally:

A. Of the two doors located adjacent to the eastern fire roller shutter in the warehouse:

i. One was not capable of being opened as the handle did not appear to be installed in accordance with Clause D2.21 of the NCC.

ii. The path of travel from the second door appears to be obstructed by a 100mm steel pipe.

B. Multiple fire isolated tunnels did not appear to be provided with:

i. Adequate artificial lighting contrary to the requirements of Clause F4.4 of the NCC.

ii. Emergency lights contrary to the requirements of Clause E4.2 of the NCC.

iii. Safe passage for evacuating occupants as there appears to be a trip hazards in the form of PVC pipes and broken pallet.

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3. Compartmentation

3A. Fire Isolated Compartment – The electrical cables passing through the floor of the electrical cabinet on level two, outside On Trend Fashion, are not adequately protected, due to unfilled gaps in the fire pillows contrary to the requirements of Clause C3.12 of the NCC;

3B. Compartmentation Generally – It appears that the office and warehouse parts are not provided with adequate safeguards resulting from fire contrary to the requirements of Clause C2.8 of the NCC.

4. Generally

4A. Hydrant Audit – Given the anomalies observed of the hydrant system, it may be in council's interest to conduct an audit of the fire hydrant installation to determine:

A. Pressure and flow requirements, based on the largest fire compartment at the building in accordance with Table 2.1 of AS2419.1-2005;

B. Coverage to all portions of the premises can be achieved in accordance with Clause 3.2 of AS2419.1-2005;

C. The Unitex warehouse and basement parts are connected to a fire hydrant installation in accordance with Clause E1.3 of the NCC.

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. 4 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 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 BFS17/2873 (2125) for any future correspondence in relation to this matter.

Yours faithfully

[redacted]

Building Surveyor
Fire Safety Compliance Unit

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Fire & Rescue NSW

File Ref. No: BFS18/529 (2874)
TRIM Ref. No: D18/14880
Contact: Station Officer [redacted]

9 March 2018

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 'UNITEX' 51 BOURKE ROAD ALEXANDRIA & 53 BOURKE ROAD ALEXANDRIA

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 1 March 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW). The inspection was conducted in the company of City of Sydney Council officer [redacted] following a request for a joint inspection. Also present were the owners of 51 Bourke Road Alexandria and 53 Bourke Road Alexandria.

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

COMMENTS

At council's request, the joint inspection was conducted to clarify a number of items listed in FRNSW's Inspection Report, dated 24 January 2018 [D18/4617] (attached). As requested, FRNSW's report was discussed including the additional items that are now identified in this report:

51 Bourke Road

1. Fire Hydrant Block Plan.

1A. Fire Hydrant Block Plan – The block plan identified the fire hydrant booster installation as serving 51-53 Bourke Road. This appears to cause confusion as 51 Bourke Road and 53 Bourke Road are distinctly separate properties, as such there is insufficient information that explains this on the block plan.

A. The location of the 'Fire Hydrant Block Plan' may need to:

a. Be located directly behind the fire hydrant booster assembly;

b. Be a minimum size of A3;

c. In addition to the identifying the location of the drencher isolation valve in accordance with Clause 7.11 of AS2419.1-2005, it is suggested the following is also included:

i. The site identifier lettering be 15mm in height; e.g.

51 BOURKE ROAD ALEXANDRIA

ii. Include a precinct plan highlighting the area of coverage.

1B. Isolation Valve – Did not identify the location of the drencher isolation valve in accordance with Clause 7.11 of Australian Standard (AS) 2419.12005;

2. Sprinkler System – The drencher isolation valve installed adjacent to the car park fire shutter was not labelled. Typically, isolation valves are labelled in accordance with Figure 3.3 of AS2118.2-2010.

53 Bourke Road

3. Fire hydrant installation,

3A. Fire Hydrant Block Plan – As discussed in item 1(1A), the block plan at 53 Bourke Road was similar to 51 Bourke Road, in that the plan did not provide adequate information to differentiate the buildings at the precinct.

A. it may be beneficial for the owners to consider the following in relation to the Fire Hydrant Block Plan:

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a. Locate the fire hydrant block plan directly behind the fire hydrant booster assembly;

b. Amend the size of the plan to be a minimum size of A3;

c. In addition to the identifying the location of the drencher isolation valve in accordance with Clause 7.11 of AS2419.1-2005, it is suggested the following is also included:

i. The site identifier lettering be 15mm in height; e.g.

53 BOURKE ROAD ALEXANDRIA

ii. Include a precinct plan highlighting the area of coverage.

3B. Pressure & Flow – Based on observations at the time, it is unclear if there is adequate pressure and flow in the fire hydrant installation. Typically, pressures and flows for hydrants are installed to comply with the requirements of Clause 2.3.3 of AS2419.1-2005. In this regard, it may be beneficial for council to compel the owners to confirm the pressure and flow for the hydrant installation. Moreover, that the pressure and flow comply with the relevant standard of performance of AS2419.1 to assist firefighting operations and to protect life and property.

4. Sprinkler Installation

4A. Sprinkler Coverage – Observations of the sprinkler installation indicated that it did not extend to the office portion of the building. At first glance, it appears that there was no separation provided between the warehouse and office areas. Given this observation, it may be beneficial for council to review its records and confirm whether the sprinkler installation should extend to the office portions of the building in accordance with Clause E1.5
– Occupancies with Excessive Hazard;

4B. Fire Service Key – Forced entry may be required in an emergency as the fire sprinkler pumproom door is not fitted with a fire service '003' key;

4C. Sprinkler Valve Set – Typically, sprinkler valve sets are installed to comply with Specification E1.5-6 of the National Construction Code 2016 Volume One, Building Code of Australia (NCC). At the time of the inspection, the sprinkler valve set was not housed in an enclosure.

4D. Lagging – Typically, exhaust systems are lagged to protect persons from injury in accordance with Clause 9.3.5 of AS1941-2013. Observations at the time revealed that both fire sprinkler pumpsets have not been lagged. 5. Egress

5A. Travel Distances – At first glance, it appears that a required exit between the Unitex Carpark and the storage facility has been closed off by a besser block wall. This

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appears to create extended travel distances. Council may need to review it's development consents to confirm whether the travel distances in the basement storage area is contrary to the requirements of Clause D1.4 of the NCC.

6. Protection of Openings

6A. Roller Shutters – All roller shutters between the two warehouses do not appear to be capable of manual operation or automatic operation. Typically rollers shutters are to comply with 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.

RECOMMENDATIONS

FRNSW recommends that Council:

a. Inspect and address any other deficiencies identified on 'the precinct" and require item no. 1 through to item no. 6 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 Station Officer [redacted] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS18/529 (2874) for any future correspondence in relation to this matter.

Yours faithfully

[redacted]

Building Surveyor
Fire Safety Compliance Unit

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