

Attachment D

**Council Officer Inspection Report,
200 Pitt Street, Waterloo**

200 Pitt Street, Waterloo

209-209A

211-213

Nels.

215

217

219

221



Raglan Street

223-247

Pitt Street

200

George Street

218-246

Wellington Street

110

West Street

230

201

248-254

331-337



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

File: CSM 1850739

Officer: Luke Jeffree

Date: 6 March 2018

Premises: 200 Pitt Street, Waterloo – James Cook Building

Executive Summary:

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

The site contains two high rise residential apartment towers within a public housing estate owned by New South Wales Land and Housing Corporation (NSW L&HC).

The site has an area of 19646m² bounded by Ragland Street to the north, Wellington Street to the south, George Street to the west and Pitt Street to the east.

The building, the subject of the FRNSW enquiry is located adjacent to the Pitt Street property frontage and is known as 'James Cook' (200 Pitt Street, Waterloo). It comprises of a seventeen storey residential apartment building.

Council investigations have revealed that the premises are deficient in fire safety and egress provisions in the following areas:

- (i) Inadequate fire detection and alarm communication system to alert people and assist coordination during an emergency;
- (ii) Provision of adequate fire safety measures and systems, in relation to the building's height, to restrict the spread of fire/smoke to such an extent to allow occupants to safely evacuate the building during a fire emergency;
- (iii) Internal exit stairways have balustrades too low, with excessive gaps in them posing a risk to the likelihood of a person falling from the stairways;
- (iv) Inadequate fire resisting construction to prevent the spread of fire (defective exit doors & lack of smoke seals to electrical cupboards);

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 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.

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

Chronology:

Date	Event
16/02/2018	<p>FRNSW correspondence received regarding premises James Cook, 200 Pitt Street, Waterloo.</p> <p>FRNSW conducted an inspection 13 February 2018. As a result of their inspection an Emergency Fire Safety Order 6 was issued on 14 February 2018, under s.121B of the Act. The order required remedial works to the building's fire alarm system.</p> <p>A desktop review by Council officer found that the building has been subject to several fire safety upgrading works during the last 20 years that were considered to be suitable measures at the time to provide adequate provision for fire safety of occupants in the event of a fire.</p>
19/02/2018	<p>An initial inspection of the subject premises was undertaken by a Council officer. The inspection revealed that the works listed in FRNSW's emergency order had not been completed. However, it was noted the compliance period of the order does not expire until 1 March 2018.</p> <p>Also, the inspection revealed a number of additional fire safety deficiencies in the premises including;</p> <ol style="list-style-type: none"> 1. Whether adequate fire safety measures and systems were installed to restrict the spread of fire/smoke relative to the building's height; 2. Internal exit stairways have balustrades too low, with excessive gaps in them; 3. Whether an adequate alarm communication system was installed to assist coordination during an emergency; 4. Defective exit doors & lack of smoke seals to electrical cupboards;
28/02/2018	<p>A further inspection of the subject building was undertaken by Council officer with the building managers and their fire contractors.</p> <p>The inspection revealed that the works listed in the emergency order had not been completed as there were still several faults (approx. 8 faults) on the building's fire panel. At this time the building managers and their fire contractors were taking necessary actions to clear the faults and comply with emergency order. The building managers and fire contractors were unable to explain why the fire panel had accumulated the faults and isolations identified by FRNSW.</p> <p>Council's officer explained the various fire safety deficiencies identified during the inspection carried out on 19 February 2018.</p> <p>A short test was performed on the building's fire alarm system (at the fire panel) by the fire contractor to sound the alarm briefly. The Council officer found that the alarm activated correctly, but considered that a further test of the warning system's sound pressure level is required to ensure compliance with current regulatory requirements.</p> <p>An audit of the fire safety measures including the smoke detection and alarm system will be required as part of the intended Council fire safety order. The audit will ensure any deficiencies in the smoke detection and alarm are rectified including the installation of suitable detectors & warning speakers, as required.</p>

02/03/2018	<p>Advice given by the owner's representative to Council & FRNSW confirming all faults and isolations identified in FRNSW's emergency order had been rectified.</p> <p>Follow-up compliance inspections will be undertaken by a Council investigation officer as part of the fire safety order compliance process to ensure that the requirements of the orders are complied with.</p>

FIRE AND RESCUE NSW REPORT:

References: [D18/9339; 2018/068185]

Fire and Rescue NSW conducted an inspection of the subject premises on 13 February 2018.

Issues

The report from FRNSW detailed there were fire safety matters that were identified as a significant concern to FRNSW, specifically a series of faults and isolations to the automatic fire detection and alarm system. These matters were identified as constituting a serious risk to safety.

An Emergency Order was issued by FRNSW and a copy of this order was attached to FRNSW's correspondence. The correspondence also advised that a supplementary report will be provided to Council in due course.

FRNSW Recommendations

FRNSW have provided the above order under sections 119T, 121ZC, 121ZD and 121ZE of the Act with no specific recommendations.

COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:

Issue Order(NOI)	Emergency Order	Compliance letter of instruction	Cited Matters rectified	Other (to specify)
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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 & 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 dated 14 February 2018	2018/078074-01
A2.	Locality Plan (cadastre)	2018/078074-02
A3	Attachment cover sheet	2018/078074-03

Trim Reference: 2018/078074

CSM reference No#: 1850739



Fire & Rescue NSW

Unclassified

File Ref. No: BFS18/356 (2714)
TRIM Ref. No: D18/9339
Contact: [REDACTED]

14 February 2018

New South Wales Land and Housing Corporation
223-239 Liverpool Road
ASHFIELD NSW 2131

CC Email: facsinfo@facns.nsw.gov.au

Dear Sir / Madam

**RE: EMERGENCY ORDER
'JAMES COOK'
200 PITT STREET, WATERLOO("the premises")**

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 13 February 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW).

At the time of the inspection there were fire safety matters that were identified as a significant concern to FRNSW, as the activity or deficiencies identified constitute an emergency or a serious risk to safety. As a result an Emergency Fire Safety Order (Order No. 6) is issued in accordance with the provisions of Section 121B of the EP&A Act (copy attached).

A report of the inspection and a copy of the Order will also be forwarded to City of Sydney Council in accordance with the requirements of Sections 119T, 121ZC, 121ZD and 121ZE of the EP&A Act. Further inspections will be conducted by FRNSW to assess compliance with the terms of the Order.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS18/356 (2714) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

Building Surveyor
Fire Safety Compliance Unit

CC/- [REDACTED]
Department of Family and Community Services

[REDACTED]
Department of Family and Community Services

Fire & Rescue NSW
Community Safety Directorate
Fire Safety Compliance Unit
firesafety@fire.nsw.gov.au

Unclassified
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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,

██████████
(name)

Building Surveyor
(rank)

██████████

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:

New South Wales Land and Housing Corporation
(name of person whom Order is served)

Owner
(position i.e. owner, building manager)

with respect to the premise

'JAMES COOK'
200 PITT STREET, WATERLOO ("the premises")
(name/address of premises to which Order is served)

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

1. Ensure the Automatic Fire 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).

The terms of the Order are to be complied with:

By no later than Close of Business on the **1 March 2018**.

Unclassified

Fire & Rescue NSW

ABN 12 593 473 110

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Community Safety Directorate
Fire Safety Compliance Unit

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The reasons for the issue of this Order are:

- a. At the time of the inspection on Tuesday 13 February 2017 the FIP:
 - i. displayed forty-two (42) faults on the system.
 - ii. displayed seven (7) isolations on the system.
- b. To ensure that the Automatic Fire Detection and Alarm System is capable to operating in accordance with the standard of performance it was designed and installed to.
- c. To ensure that fire safety measures installed throughout the premises are maintained and operating to their standard of performance.
- d. Isolations and faults to the Automatic Fire Detection and Alarm System may leave occupants unaware of an emergency to allow timely evacuation. This may leave occupants trapped, as safe evacuation routes may be compromised.
- e. To ensure the Automatic Fire Detection and Alarm System is fully operational so that occupants are provided with early notification of a fire within the premises so that they may safely evacuate the premises in the event of a fire.

This Order No. 6 was sent by mail on **14 February 2018**.

[REDACTED]
[REDACTED]
Building Surveyor
Fire Safety Compliance Unit

