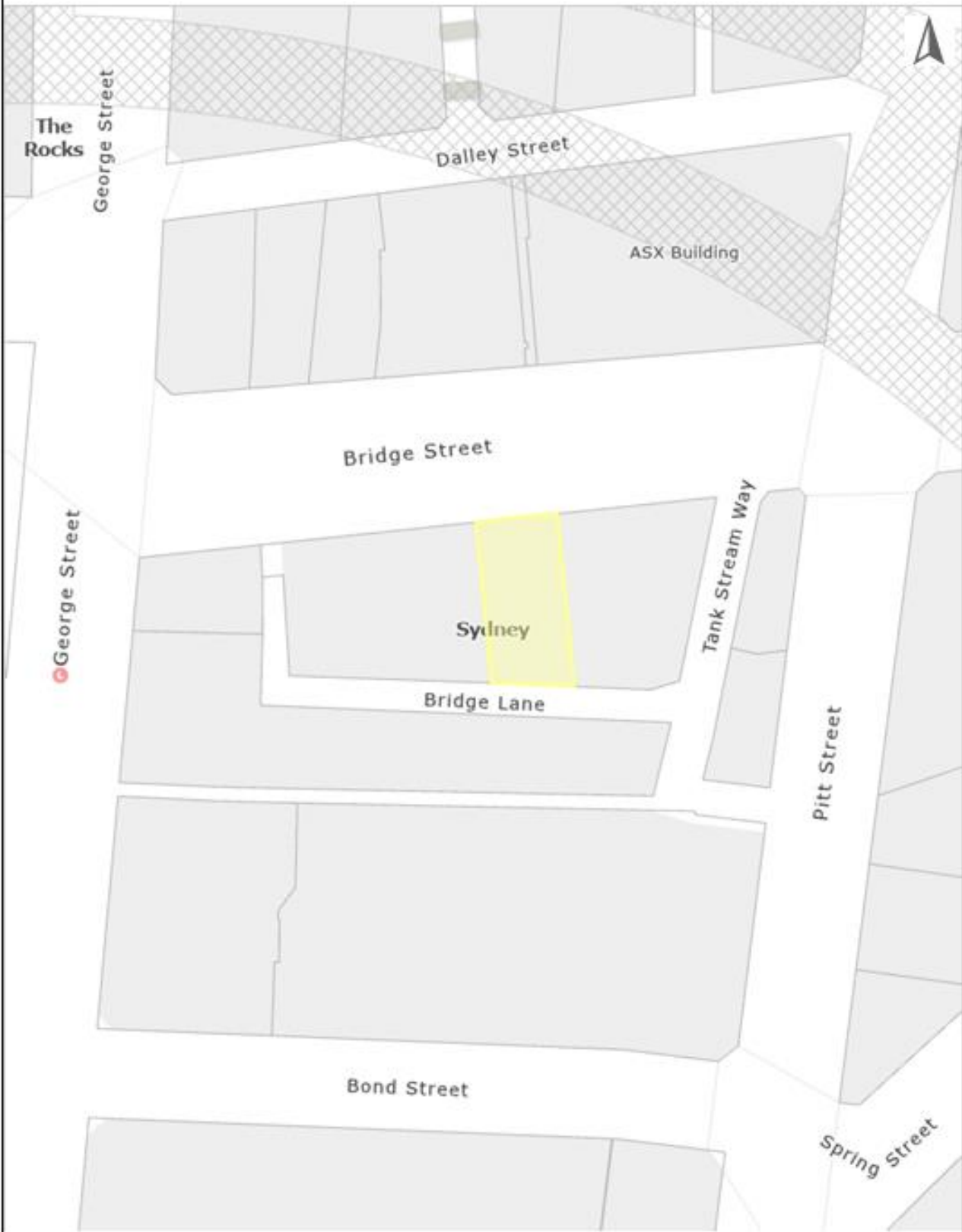


Attachment F

**Inspection Report
13-15A Bridge Street, Sydney**



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Notes

8/03/2024

**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 3147576

Officer: Andrew Manning

Date: 15/03/2024

Premises: 13 –15A Bridge Street, Sydney

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 premises consists of a 25 metre, 6-storey building with an additional basement level, primarily used as an office building.

An inspection of the premises undertaken by a Council investigation officer in the presence of the building manager revealed there were no significant fire safety issues occurring within the building.

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building, however the location of the displayed annual fire safety statement was not prominent in accordance with the requirements of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Council investigations have revealed that whilst there remains several minor fire safety “maintenance and management” works to attend to, such as ensuring fire doors remain unobstructed, the overall fire safety systems provided within the subject premises are considered adequate in the circumstances.

It is considered that the above fire safety works 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 building did not identify the existence of any potential combustible composite cladding on the façade of the building.

Chronology:

| Date | Event |
|-------------|--|
| 27/02/2024 | FRNSW correspondence received regarding premises Moran House 13-15 Bridge Street, Sydney. |
| 29/02/2024 | An inspection of the subject premises was undertaken by a Council officer. It was noted the majority of items raised within the Brigade report have subsequently been addressed that is sprinkler spares have been fully restocked and no faults were noted on the FIP. Signage and Block Plans were noted as not being present as outlined within the FRNSW report. The building was noted as being well maintained and fire services appeared to be in working order. Fire Doors were chocked open at the time of the inspection. A verbal warning was issued. |
| 17/04/2024 | Corrective action letter issued to rectify minor maintenance issues raised within FRNSW’s correspondence |

FIRE AND RESCUE NSW REPORT:

References: [BFS24/293 (33195); Council TRIM Ref 2024/143059]

Fire and Rescue NSW conducted an inspection of the subject premises after receiving an enquiry concerning the adequacy of the provision for fire safety.

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

| Ref. | Issue | City response |
|--|--|--|
| 1. Certification | | |
| 1A | Automatic Fire Detection and Alarm System: | |
| | An Annual Fire Safety Statement was not displayed in a prominent location at the premises contrary to the requirements of Section 89 (4) of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 21). | AFSS was noted as being displayed on the top storey. Location requirement was discussed with building occupant with respect to where the AFSS should be displayed. Corrective Action Letter dated 20/03/2024 point 1 requires AFSS to be displayed prominently at FIP. |
| 2. Essential Fire Safety Measures | | |
| 2A | Fire Hydrant System | |
| A. | A fire hydrant block plan is not installed at the fire brigade booster assembly contrary to the requirements of Clause 2.3 of Australian Standard (AS) 2419.1-1994. | No block plans were noted on site at the booster assembly. Corrective Action Letter dated 20/03/2024 point 2 requires a block plan to be installed in compliance with Clause 2.3 of AS 2419.1-1994 |
| B | The fire hydrant pump-set is installed in series with the fire brigade boost inlet connection and is not provided with the warning signage and 150 mm pressure gauge contrary to the requirements of Clause 5.7 of AS2419.1-1994. | Signage and pressure gauge was noted as not being present on site. Corrective Action Letter dated 20/03/2024 point 3 requires compliance with Clause 5.7 of AS 2419.1-1994 |
| 2B | Fire Sprinkler System | |
| A. | A location plate was not installed over the doorway providing access to the sprinkler stop valve to the intent of Clause 8.4 of AS2118.1-1999 | Required location plate was not noted on site. Corrective Action Letter dated 20/03/2024 point 4 requires a location plate to be installed in accordance with Clause 8.4 of AS 2118.1-1999 |
| B. | The plan of risk (block plan) is not installed near the fire brigade booster assembly ('group of valves') or the alarm valves contrary to the intent of Clause 8.3 of AS2118.1-1999 | No block plans were noted on site at the booster assembly. Corrective Action Letter dated 20/03/2024 point 5 requires a block plan to be installed in compliance with Clause 8.3 of AS 2118.1-1999 |
| 2C | Smoke Detection and Alarm System (SDAS) | |
| A | The Fire Detection Control and Indicating Equipment (FDCIE) displayed one isolation on Level 3 of the building. | Corrective Action Letter dated 20/03/2024 point 6 requires |

| Ref. | Issue | City response |
|------|---|--|
| | FRNSW observed commercial fit-out works being undertaken. FRNSW advised the tradesmen at the premises that the zone should be deisolated at the completion of works daily. | evidence of currently engaged trades people to confirm detection zones are being deisolated at completion of works daily |
| 2D | Access and Egress | |
| A | The path of travel to an egress door was impeded by artwork being installed in front of the basement exit door contrary to the requirements of Section 109 of the EPAR 21 | Door in question was noted on site as having been cleared. Corrective Action Letter dated 20/03/2024 point 7 requires additional fade resistant signage stating 'Storage Prohibited in this Area' to be placed in areas where the path of travel to an exit can be obstructed |
| B | The basement lift lobby is capable of being secured by a lock on a steel gate. FRNSW were unable to determine which doors were connected to fail safe devices listed on the 2023 Annual Fire Safety Statement | Corrective Action Letter dated 20/03/2024 point 8 requires evidence from an Accredited Practitioner confirming the door in question is connected to a 'fail safe device'. Failing this the door is to be removed or rendered incapable of being locked. |
| 2E | Compartmentation and Separation | |
| A | Multiple fire-rated doors between the basement and the nightclub were held open with ropes and door chocks, preventing the doors from self-closing, contrary to the requirements of Clause C4D6 of the National Construction Code 2022, Volume 1 Building Code of Australia (NCC) | Multiple doors were noted as being chocked open at the time of Council inspection. Building occupant was issued with an on-the-spot warning. Corrective Action Letter dated 20/03/2024 point 9 requires evidence be provided to Council demonstrating tenants have been informed of their obligation around self-closing fire doors. Additionally, an audit is to be undertaken of all fire doors to confirm all required door signage is installed. |
| B | The fire-rated door separating the nightclub and hairdresser at street level incorporated a glass panel which did not appear to be fire rated contrary to the requirements of Clause S12C2 of the NCC | Corrective Action Letter dated 20/03/2024 point 10 requires confirmation to be provided from the accredited practitioner (fire safety) the installed Fire Door has been installed to the minimum standard of performance as listed on the fire safety schedule. |

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

FRNSW Recommendations

FRNSW recommended that Council inspect and address any other deficiencies identified on 'the premises' and require item no. 1 to 2 of their report to be appropriately addressed.

COUNCIL INVESTIGATION OFFICER 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 (to specify) |
|-------------------|-----------------------|--|-------------------------|--|--|--------------------|
| | | | | | | |

As a result of the above site inspection undertaken by Council’s investigation officers it is recommended that the owners of the building continue to comply with the written fire safety compliance instructions as issued by Council officers 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 at this time.

That the Commissioner of FRNSW be advised of Council’s actions and determination.

Referenced/Attached Documents:

| | |
|----------------|--------------------------|
| 2024/143059-03 | Corrective Action Letter |
|----------------|--------------------------|

Trim Reference: 2024/143059-02

CSM reference No#: 3147576

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File Ref. No: BFS24/293 (33195)
TRIM Ref. No: D24/23867
Contact: Inspector Paul Scott

26 February 2024

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
MORAN HOUSE
13-15 BRIDGE STREET SYDNEY (“the premises”)**

Fire and Rescue NSW (FRNSW) received correspondence on 26 February 2024 concerning the adequacy of the provision for fire safety in or in connection with ‘the premises’.

The correspondence stated that:

- *Garbage bins were installed in front of egress doors.*

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 23 January 2024.

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.

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
F (02) 9742 7483

www.fire.nsw.gov.au

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NOTICE OF INTENTION TO SERVE AN ORDER

FRNSW issued a Notice of Intention to Serve an Order (1) dated 6 February 2024 (copy attached) under the provisions of Section 9.34 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

REPRESENTATIONS & INSPECTION

Written representations were received concerning the proposed **Order 1** under Schedule 5, Part 6, Section 8 of the EP&A Act, and after receiving the representations, FRNSW has decided not to give an Order under Schedule 5, Part 7, Section 15 of the EP&A Act.

COMMENTS

The garbage bin blocking the egress door was located at the adjoining property.

The following items were identified during the inspection:

1. Certification
 - 1A. An Annual Fire Safety Statement was not displayed in a prominent location at the premises contrary to the requirements of Section 89 (4) of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 21).
2. Essential Fire Safety Measures
 - 2A. Fire Hydrant System
 - A. A fire hydrant block plan is not installed at the fire brigade booster assembly contrary to the requirements of Clause 2.3 of Australian Standard (AS) 2419.1-1994.
 - B. The fire hydrant pumpset is installed in series with the fire brigade boost inlet connection and is not provided with the warning signage and 150 mm pressure gauge contrary to the requirements of Clause 5.7 of AS2419.1-1994.
 - 2B. Fire Sprinkler System

The fire hydrant block plan in the pumphouse and carpark states the system was installed in 1998. FRNSW consider this to be the approximate building construction date.

 - A. A location plate was not installed over the doorway providing access to the sprinkler stop valve to the intent of Clause 8.4 of AS2118.1-1999.

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- B. The plan of risk (block plan) is not installed near the fire brigade booster assembly (group of valves) or the alarm valves contrary to the intent of Clause 8.3 of AS2118.1-1999.
- 2C. Smoke Detection and Alarm System (SDAS)
- A. The Fire Detection Control and Indicating Equipment (FDCIE) displayed one isolation on Level 3 of the building. FRNSW observed commercial fit-out works being undertaken. FRNSW advised the tradesmen at the premises that the zone should be deisolated at the completion of works daily.
- 2D. Access and Egress
- A. The path of travel to an egress door was impeded by artwork being installed in front of the basement exit door contrary to the requirements of Section 109 of the EPAR 21.
 - B. The basement lift lobby is capable of being secured by a lock on a steel gate. FRNSW were unable to determine which doors were connected to fail safe devices listed on the 2023 Annual Fire Safety Statement.
- 2E. Compartmentation and Separation
- A. Multiple fire-rated doors between the basement and the nightclub were held open with ropes and door chocks, preventing the doors from self-closing, contrary to the requirements of Clause C4D6 of the National Construction Code 2022, Volume 1 Building Code of Australia (NCC).

FRNSW removed all chocks and ropes during the inspection.
 - B. The fire-rated door separating the nightclub and hairdresser at street level incorporated a glass panel which did not appear to be fire rated contrary to the requirements of Clause S12C2 of the NCC.

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

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Review items 1 to 2 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 Inspector Paul Scott 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 BFS24/293 (33195) regarding any correspondence concerning this matter.

Yours faithfully



Paul Scott
Team Leader
Fire Safety Compliance Unit

Attachments [Appendix 1 – Notice to Issue a Fire Order – 5 pages]

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Appendix 1 – Notice to Issue a Fire Order



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File Ref. No: BFS24/293 (33195)
TRIM Ref. No: D24/15947
Contact: Inspector Paul Scott

9 February 2024

MIRRAMBA PTY. LTD.
Level 1, 13-15 Bridge Street
SYDNEY NSW 2000

Dear The Proper Officer

**Re: NOTICE OF INTENTION
PROPOSED FIRE SAFETY ORDER – ORDER NO.1
MORAN HEALTH CARE GROUP BUILDING
13-15A BRIDGE STREET SYDNEY (“the premises”)**

Authorised Fire Officers of the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW) inspected “the premises” and identified fire safety concerns on Tuesday, 23 January 2024. FRNSW gives you a **Notice of Intention to give a Fire Safety Order – Order No.1 (‘Notice’)** because of the concerns. This “Notice” is issued under Section 9.34 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act) and Schedule 5, Part 6, Section 8 (corporation) of the EP&A Act.

A copy of the **Proposed Fire Safety Order – Order No.1 (‘Proposed Order’)** is also attached. This “Notice” outlines the terms of the “Proposed Order”. You may explain by way of representations to FRNSW why the Fire Safety Order – Order No.1 should not be given under Schedule 5, Part 7, Section 13 of the EP&A Act.

Representations are to be made in writing and should be received by FRNSW no later than **5.00 pm Tuesday, 20 February 2024**. After hearing and considering any representations, under the provisions of Schedule 5, Part 7 (Section 14 and Section 15) of the EP&A Act, FRNSW may decide:

- to give a Fire Safety Order – Order No.1 in accordance with the “Proposed Order”;
- to give a Fire Safety Order – Order No.1 in accordance with modifications made to the “Proposed Order”;
- not to give a Fire Safety Order – Order No.1.

| | | |
|--|-------------------------------------|--|
| 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 F (02) 9742 7843 |
| www.fire.nsw.gov.au | | Page 1 of 5 |

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A copy of this "Notice" will be forwarded to City of Sydney Council, under the provisions of Schedule 5, Part 6 (Section 12) of the EP&A Act.

Please do not hesitate to contact Inspector Paul Scott of FRNSW's Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call on (02) 9742 7434 if there are any questions or concerns about the above matters. Please ensure that you refer to file reference BFS24/293 (33195) regarding any correspondence concerning this matter.

Yours faithfully



Paul Scott
Team Leader
Fire Safety Compliance Unit

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Proposed Fire Safety Order ORDER No. 1

Under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*
Part 9 Implementation and Enforcement – Division 9.3 Development Control Orders
Fire Safety Orders in accordance with the table to Part 2 - Schedule 5.
Intend to give an Order in accordance with Section 9.34(1)(b)

I, **Paul Scott** **Inspector** **6776**
(name) (rank) (number)

being an authorised Fire Officer within the meaning of Schedule 5, Part 8, Section 16 of the *Environmental Planning and Assessment Act 1979*, and duly authorised for the purpose, hereby order:

MIRRAMBA PTY. LTD. **Owner**
(name of the person whom Order is served) (position, i.e. owner, building manager)

with respect to the premise

MORAN HEALTH CARE GROUP BUILDING
13-15A BRIDGE STREET SYDNEY (“the premises”)
(name/address of premises to which Order is served)

to do or refrain from doing the following things:

1. Restore the path of travel to an exit, by removing the paintings that create an impediment to persons evacuating the carpark.

The terms of the Proposed Fire Safety Order – Order No.1 are to be complied with:

By no later than **14 days** from the date of the Fire Safety Order – Order 1.

The reasons for the issue of the Proposed Fire Safety Order - Order No.1 are:

- a. At the time of inspection, the building was occupied.
- b. As a result of paintings being stored in the corridor (partitioned from carparking area) that lead to a required exit in the carpark, the unobstructed width of

| | | |
|--|-------------------------------------|--|
| 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 F (02) 9742 7843 |
| www.fire.nsw.gov.au | | Page 3 of 5 |

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1000mm was not provided, impacting on occupants ability to evacuate the building (see Figure 1).

- c. FRNSW observed a width of approximately 350mm for persons accessing the egress door.
- d. To do or refrain from doing such things specified in the Order to ensure or promote adequate fire safety or awareness.

Appeals

Pursuant to Section 8.18 of the Environmental Planning & Assessment Act 1979 (EP&A Act), there is no right of appeal to the Court against a Fire Safety Order – Order 1 once it is issued, other than an order that prevents a person from using or entering premises.

Non-Compliance with Fire Safety Order – Order No.1

Once issued, failure to comply with a Fire Safety Order – Order 1 may result in further Orders and/or fines being issued.

Substantial penalties may be imposed under Section 9.37 of the EP&A Act for failure to comply with a Fire Safety Order – Order No.1.

NOTE: Representations are to be made in writing and should be received by FRNSW no later than **5.00 pm on Tuesday, 20 February 2024**.



Paul Scott
Team Leader
Fire Safety Compliance Unit

This **Proposed** Fire Safety Order - Order No. 1 was mailed on **9 February 2024**.

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Figure 1

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