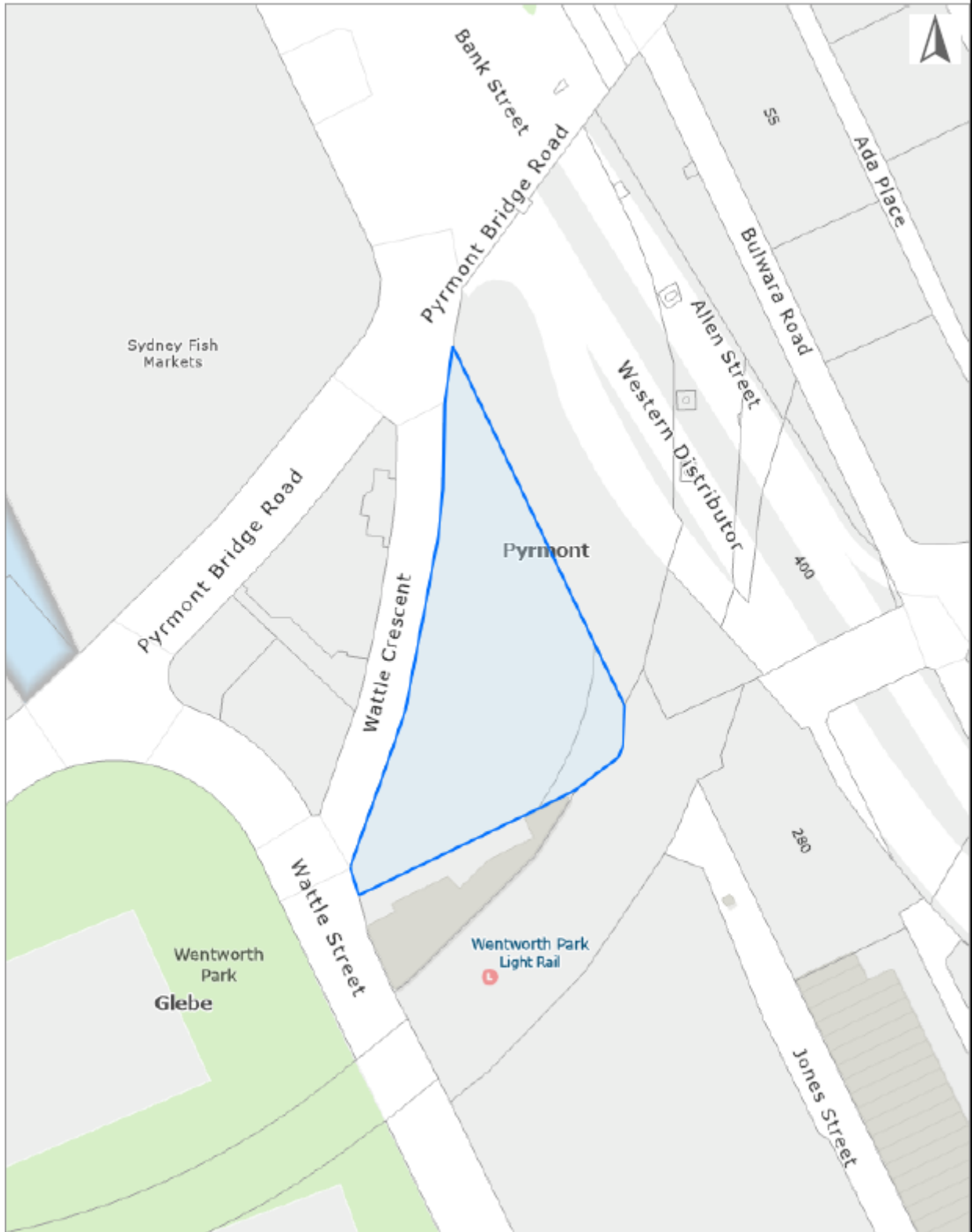


Attachment G

**Inspection Report
2-26 Wattle Crescent, Pymont**

2 - 26 Wattle Crescent Pymont



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Notes

27/05/2024

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: 3186521

Officer: Arfan Chaudhary

Date: 27 May 2024

Premises: 2 – 26 Wattle Crescent, Pyrmont NSW 2009

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on 16 May 2024 with respect to matters of fire safety.

Fire & Rescue NSW (FRNSW) inspection resulted from a complaint received from a member of public concerning inadequate fire safety with the premises.

The premises is located at 2 – 26 Wattle Crescent Pyrmont and is bounded by Wattle Crescent to the east, Wattle Street to the south, and the Wentworth Park Light Rail station and infrastructure to the west.

The premises consists of four residential apartment towers located over a common two storey basement carpark. The premises also contains a separate swimming pool, spa and gymnasium building to the rear of the allotment.

Level 1 and 2 of the building contain basement carparking, and Levels 3 – 12 of each residential tower contain residential apartments.

Each of the four residential towers of the building are accessed from Wattle Crescent via residential lobbies located on Level 3 of the building. Access to the carpark levels of the building is also available via the Level 2 carpark entry ramp.

The premises is not a heritage item and is not located within a heritage conservation area.

An inspection of the premises was carried out by a Council investigation officer in the presence of FRNSW and the Building Manager which revealed the premises are deficient in fire safety and egress provisions in the following areas:

- (i) inadequate fire detection and alarm systems;
- (ii) a lack of adequate facilities for firefighting;
- (iii) safe and dignified emergency egress for occupants to safely evacuate the building in the event of a fire; and
- (iv) poor fire safety management systems (signs/notices/not displayed etc.) in place.

Council investigations have revealed that the premises are deficient in the provisions for fire safety and that a Fire Safety Order is to be issued under Schedule 5 of the Environmental Planning and Assessment Act, 1979 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 any combustible composite cladding on the façade of the building.

Council records indicate that a Fire Safety Order was issued on the owners of the building on 25 August 2015. On 1 July 2019 the Fire Safety Order was marked as completed.

Chronology:

Date	Event
16/05/2024	FRNSW correspondence received regarding premises 2 – 26 Wattle Crescent, Pyrmont. The correspondence was initiated by a complainant concerning fire safety and a FRNSW inspection on 1 May 2024. The correspondence stated <i>“Someone has placed red and white tape across both sides of the Building B fire exit. There is no signage warning of hazards or alternate routes indicated”</i> .
5/06/2024	<p>An inspection of the subject premises was undertaken by a Council officer on 5 June 2024, with the building manager present on 16 September 2022, when the following items were noted:</p> <ol style="list-style-type: none"><li data-bbox="392 600 1461 667">1. All fire door sets have been tagged in accordance with AS/NZS 1905.1 – 2005;<li data-bbox="392 701 1461 835">2. The hydrant booster assembly was located within the Street level in accordance with Ordinance 70 Part 27.3 and AS2419.1- 1994. At the time of the inspection there were no system faults or other issues observed and the system appeared normal operation.<li data-bbox="392 869 1461 936">3. At the time of the inspection, the paths of travel leading to the fire exits, along with the fire exits and fire exit doors were all clear and unobstructed.<li data-bbox="392 969 1461 1070">4. At the time of inspection, the Fire indicator panel (FIP) showed 51 faults. Upon examination of each zone in fault, multiple devices within each zone were identified as; MISSING DEVICE, LOW BATTERY, or TAMPERED.<li data-bbox="392 1104 1461 1205">5. A permanent, water and fade resistant zone block plan, depicting all the relevant information of the installation, was not securely mounted adjacent to the FIP.<li data-bbox="392 1238 1461 1305">6. At the time of inspection, the Building Occupant Warning System did not display any fault and appeared normal operation.<li data-bbox="392 1339 1461 1406">7. Storz couplings were not installed on the attack hydrants throughout the premises to assist with firefighting operations.<li data-bbox="392 1440 1461 1574">8. Internal attack hydrants are located within the public corridors on each level and not within the fire stairs. In this regard, wayfinding signage was not pasted in the fire stairs at each level adjacent to fire doors to inform firefighting crews as to the location of the internal hydrants.<li data-bbox="392 1608 1461 1742">9. At the time of inspection, Council was unable to locate the sprinkler booster and believe that a sprinkler booster may not exist. In this regard, the absence of a sprinkler booster means FRNSW will not be able to boost the sprinkler system upon pump failure.<li data-bbox="392 1776 1461 1843">10. The location of isolation valves for the balcony sprinkler protection was not identified on the sprinkler block plan.<li data-bbox="392 1877 1461 1944">11. Signage to inform attending firefighting crews as to the location of the sprinkler stop valve was not fixed on the outside wall near the stop valve.<li data-bbox="392 1977 1461 2011">12. The drencher system piping was not provided with an isolation valve.

Date	Event
	<p>13. Exit signage directing persons out of the premises onto Wentworth Park light rail were not illuminated.</p> <p>14. Final exit signage was not installed on the gate providing egress into Wentworth Park light rail.</p> <p>15. The fire safety statement is prominently displayed at the premises and is current.</p> <p>16. Other fire safety measures in the building appeared adequately maintained.</p> <p>17. Issues specifically raised by FRNSW and responses to those issues, are summarised in the following table.</p>
17/06/2024	A Notice of Intention to give an Order was issued.

FIRE AND RESCUE NSW REPORT:

References: BFS24/2391 (35086); 2024/302776

Fire and Rescue NSW conducted an inspection of the subject premises after receiving a complaint about placement of red and white tape across both sides of the Building B fire exit. There was no signage warning of hazards or alternate routes indicated.

Issues

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

Ref.	Issue	City response
Essential Fire Safety Measures		
1A	Certification	
A.	<p>Annual Fire Safety Statements (AFSS)</p> <p>i. Multiple Lots/DP/SP's are listed in Section 2 of the displayed AFSS.</p> <p>ii. The owner's declaration in Section 8 of the AFSS has not been completed and therefore the AFSS is not valid in accordance with Section 88 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 21).</p> <p>iii. The AFSS does not identify any fire engineering reports (FER) that may have been produced at the time of Council Order</p> <p>Essential Fire Safety Measures</p>	<p>i. At the inspection, Council advised the building manager to complete Section 2 and 8 of the AFSS.</p> <p>ii. At the inspection, Council advised the building manager to complete Section 2 and 8 of the AFSS.</p> <p>iii. No FER was found in the Council Fire Order file. It was concluded a FER was not required at the completion of the Fire Order.</p>
B.	<p>Fire Safety Schedule</p> <p>i. A copy of the current FSS is not displayed in the building, contrary to the requirements to Section 89 (4)(b) of EPAR 2021.</p>	At the inspection, Council advised the building manager to display the current FSS. He complied.
1B.	Fire Hydrant System	

Ref.	Issue	City response
A.	FRNSW observed that Storz couplings were not installed on the attack hydrants throughout the premises to assist with firefighting operations.	Addressed in the NOI.
B.	Internal attack hydrants are located within the public corridors on each level and not within the fire stairs. In this regard, wayfinding signage should be provided in the fire stairs at each level adjacent to fire doors to inform firefighting crews as to the location of the internal hydrants.	Addressed in the NOI.
1C	Sprinkler System	
A.	The AFSS states the sprinkler system is installed to AS2118.1 – 1996, ORD 70 PART 27.4 & 55.17, MINISTERIAL SPEC 10. In this regard, 1996 is not an applicable year to AS2118.1. Although this may be an administration error, the standard of performance should be listed correctly.	Addressed in the NOI.
B.	The fire sprinkler block plan indicated that the sprinkler booster connection was installed at the corner of Wattle Crescent and Wattle Street. Upon investigation, Officers of FRNSW were unable to locate the sprinkler booster and believe that a sprinkler booster may not exist. In this regard, the absence of a sprinkler booster means FRNSW will not be able to boost the sprinkler system upon pump failure.	Addressed in the NOI.
C.	<p>The building is provided with balcony sprinklers and wall wetting drenchers. The drenchers appear to be installed to AS2118.2 - 2010. The following was observed,</p> <ul style="list-style-type: none"> i. The location of isolation valves for the balcony sprinkler protection was not identified on the sprinkler block plan. ii. Despite the facade having more than 12 drencher sprinkler heads, a booster assembly was not provided in accordance with Clause 3.4 of AS2118.2 – 2010. iii. The drencher system piping was not provided with an isolation valve in accordance with Clause 4.2.2 of AS2118.2 – 2010. 	Addressed in the NOI.
D.	Signage to inform attending firefighting crews as to the location of the sprinkler stop valve was not fixed on the outside wall near the stop valve contrary to the requirements of AS2118.1.	Addressed in the NOI.
1D.	Smoke Detection and Alarm System (SDAS)	
A.	<p>Fire Indicator Panel (FIP)</p> <ul style="list-style-type: none"> i. A permanent, water and fade resistant zone block plan, depicting all the relevant information of the installation, was not securely mounted adjacent to the FIP, contrary to the requirements of Clause 3.10 of AS1670.1-2004. ii. The FIP displayed 49 zones in fault. Upon examination of each zone in fault, multiple devices within each zone were identified as; MISSING DEVICE, LOW BATTERY, or TAMPERED. FRNSW believes that a large volume of devices may not be transmitting to the FIP. 	<p>Addressed in the NOI.</p> <ul style="list-style-type: none"> i. The building manager advised a fire practitioner is rectifying the faults.

Ref.	Issue	City response
	<p>The AFSS indicates that the SDAS incorporates AS1670.1, AS1668.1 and AS3786. FRNSW gained entry to sole occupancy units (SOU) number 67 and 71, where multi criteria detectors (dual smoke and heat detectors) were installed which were replicated throughout the premises. Smoke detectors were installed in the common areas. FRNSW were advised that,</p> <ul style="list-style-type: none"> i. The smoke alarm component activates an audible alarm in the affected SOU's to the intent of AS3786. ii. The heat detector in the SOU and the smoke detectors in common areas activate the Building Occupant Warning System (BOWS) and the alarm signalling equipment for responding the local fire brigade. <p>Furthermore, The AS1670 smoke detection system appears to incorporate a design that relies on radio frequency detectors and receiver units to send signals to the Fire Detection Control and Indicating Equipment (FDCIE). Both detectors and receiver units require battery replacement to function continuously. Notwithstanding this, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation into the design and performance of the SDAS is required in this instance.</p>	<p>The issue was addressed in the previous Fire Order FIRE/2015/53. The work required under the Fire Order was completed to the satisfaction of Council.</p> <p>Also, the building manager was advised to carry out a remedial work on FDCIE.</p> <p>Addressed in the NOI.</p>
2.	Access and Egress	
2A.	<p>Multiple impediments to the movement of occupants in an emergency were observed at the premises. Barrier tape, bicycles and other household items were located in front of fire egress doors.</p> <p>A. Building management removed these items prior to the reinspection of the premises on 15 May 2024.</p>	<p>At the inspection, the subject location was cleared from the obstructions. No further action required.</p>
2B.	<p>Final exit doors from each of the towers deposited persons into the rear yard of the premises. Exit signage directing persons out of the premises onto Wentworth Park light rail were either not illuminated or not visible due to overgrown vegetation contrary to the requirements of E4D5, E4D6 and E4D8 in the NCC.</p>	<p>Addressed in the NOI.</p>
2C.	<p>Final exit signage was not installed on the gate providing egress into Wentworth Park light rail contrary to the requirements of E4D5 of the NCC.</p>	<p>Addressed in the NOI.</p>

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

FRNSW Recommendations

FRNSW have made (3) recommendations within their report. In general, FRNSW have requested that Council:

- a. Review items 1 to 3 of this report and conduct an inspection.
- b. Address any other deficiencies identified on “the premises”.

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)
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As a result of a site inspection undertaken by Council’s investigation officers, a notice of intention (NOI) for a Fire Safety Order has been issued under Schedule 5 of the Environmental Planning and Assessment Act, 1979 to address the fire safety deficiencies identified by FRNSW and Council’s building officer.

It is recommended that Council exercise its power to issue a Fire Safety Order (following the expiry of the representation period of the NOI) to ensure suitable fire safety systems are in place throughout the building to provide improved and adequate provisions for fire safety, and that the Commissioner of FRNSW be advised of Council’s actions and determination.

Referenced/Attached Documents:

2024/302776	Fire & Rescue NSW letter dated 16 May 2024
2024/345708	Notice of intention for a Fire Safety Order

Trim Reference: 2024/355465

CSM reference No#: 3186521

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File Ref. No: BFS24/2391 (35086)
TRIM Ref. No: D24/59444
Contact: Engineer: Monish Sundarampillai

16 May 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: 9.32 INSPECTION REPORT
PARKVIEW TOWERS
2 – 26 WATTLE CRESCENT PYRMONT (“the premises”)**

Fire and Rescue NSW (FRNSW) received correspondence on 23 April 2024 concerning the adequacy of the provision for fire safety in connection with ‘the premises’.

The correspondence stated that:

Someone has placed red and white tape across both sides of the Building B fire exit. There is no signage warning of hazards or alternate routes indicated.

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 1 May 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.

Fire and Rescue NSW

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Community Safety Directorate
Fire Safety Compliance Unit

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Greenacre NSW 2190

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- 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.
- Possible nonconformities identified in the report may relate to:
 - National Construction Code 2022, Volume 1 Building Code of Australia (NCC), or
 - Essential Fire Safety Measures identified on the Annual Fire Safety (AFSS) observed in the building, and
 - Provisions for fire safety and fire safety equipment.

The items are not an exhaustive list of non-compliances. FRNSW acknowledges that the differences observed at the time may contradict development consent approval or relate to the building's age or heritage status. Therefore, it's the Council's discretion as the appropriate regulatory authority to consider the most appropriate action.

COMMENTS

The following items were identified during the inspection:

1. Certification
 - A. Annual Fire Safety Statements (AFSS)
 - i. Multiple Lots/DP/SP's are listed in Section 2 of the displayed AFSS.
 - ii. The owner's declaration in Section 8 of the AFSS has not been completed and therefore the AFSS is not valid in accordance with Section 88 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 21).
 - iii. The AFSS does not identify any fire engineering reports that may have been produced at the time of Council Order Essential Fire Safety Measures
 - B. Fire Safety Schedule (FSS)
 - i. A copy of the current FSS is not displayed in the building, contrary to the requirements to Section 89 (4)(b) of EPAR 2021.
- 1B. Fire Hydrant System

The AFSS states the standard of performance of the fire hydrant system as *WATER SUPPLY TO AS2419.1-1994 AND ORD 70 PART 27.3, MINISTERIAL SPEC 10*. In this regard, the hydrant block plan indicates that the system design provides 4.5L/s which

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is consistent with Ordinance 70. Council may need to review the performance of the fire hydrant system and ensure compliance with the FSS is being achieved.

- A. FRNSW observed that Storz couplings were not installed on the attack hydrants throughout the premises to assist with firefighting operations.
- B. Internal attack hydrants are located within the public corridors on each level and not within the fire stairs. In this regard, wayfinding signage should be provided in the fire stairs at each level adjacent to fire doors to inform firefighting crews as to the location of the internal hydrants.

1C. Sprinkler System

- A. The AFSS states the sprinkler system is installed to *AS2118.1 – 1996, ORD 70 PART 27.4 & 55.17, MINISTERIAL SPEC 10*. In this regard, 1996 is not an applicable year to AS2118.1. Although this may be an administration error, the standard of performance should be listed correctly.
- B. The fire sprinkler block plan indicated that the sprinkler booster connection was installed at the corner of Wattle Crescent and Wattle Street. Upon investigation, Officers of FRNSW were unable to locate the sprinkler booster and believe that a sprinkler booster may not exist. In this regard, the absence of a sprinkler booster means FRNSW will not be able to boost the sprinkler system upon pump failure.
- C. The building is provided with balcony sprinklers and wall wetting drenchers. The drenchers appear to be installed to AS2118.2 - 2010. The following was observed,
 - i. The location of isolation valves for the balcony sprinkler protection was not identified on the sprinkler block plan.
 - ii. Despite the facade having more than 12 drencher sprinkler heads, a booster assembly was not provided in accordance with Clause 3.4 of AS2118.2 – 2010.
 - iii. The drencher system piping was not provided with an isolation valve in accordance with Clause 4.2.2 of AS2118.2 – 2010.
- D. Signage to inform attending firefighting crews as to the location of the sprinkler stop valve was not fixed on the outside wall near the stop valve contrary to the requirements of AS2118.1.

1D. Smoke Detection and Alarm System (SDAS)

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- A. Fire Indicator Panel (FIP)
 - i. A permanent, water and fade resistant zone block plan, depicting all the relevant information of the installation, was not securely mounted adjacent to the FIP, contrary to the requirements of Clause 3.10 of AS1670.1-2004.
 - ii. The FIP displayed 49 zones in fault. Upon examination of each zone in fault, multiple devices within each zone were identified as; MISSING DEVICE, LOW BATTERY, or TAMPERED. FRNSW believes that a large volume of devices may not be transmitting to the FIP.
- B. The AFSS indicates that the SDAS incorporates AS1670.1, AS1668.1 and AS3786. FRNSW gained entry to sole occupancy units (SOU) number 67 and 71, where multi criteria detectors (dual smoke and heat detectors) were installed which were replicated throughout the premises. Smoke detectors were installed in the common areas. FRNSW were advised that,
 - i. The smoke alarm component activates an audible alarm in the affected SOU's to the intent of AS3786.
 - ii. The heat detector in the SOU and the smoke detectors in common areas activate the Building Occupant Warning System (BOWS) and the alarm signalling equipment for responding the local fire brigade.

Furthermore, The AS1670 smoke detection system appears to incorporate a design that relies on radio frequency detectors and receiver units to send signals to the Fire Detection Control and Indicating Equipment (FDCIE). Both detectors and receiver units require battery replacement to function continuously.

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

2. Access and Egress

- 2A. Multiple impediments to the movement of occupants in an emergency were observed at the premises. Barrier tape, bicycles and other household items were located in front of fire egress doors.
 - A. Building management removed these items prior to the re-inspection of the premises on 15 May 2024.
- 2B. Final exit doors from each of the towers deposited persons into the rear yard of the premises. Exit signage directing persons out of the premises onto Wentworth Park light rail were either not illuminated or not visible

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due to overgrown vegetation contrary to the requirements of E4D5, E4D6 and E4D8 in the NCC.

- 2C. Final exit signage was not installed on the gate providing egress into Wentworth Park light rail contrary to the requirements of E4D5 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 3 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 Engineer: Monish Sundarampillai 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 BFS24/2391 (35086) regarding any correspondence concerning this matter.

Yours faithfully



Paul Scott
Team Leader Fire Safety Compliance
Fire Safety Compliance Unit