

Attachment F

**Inspection Report
4 Gillespie Avenue, Alexandria**



Figure 1: 4 Gillespie Avenue, Alexandria, viewed from the south-east

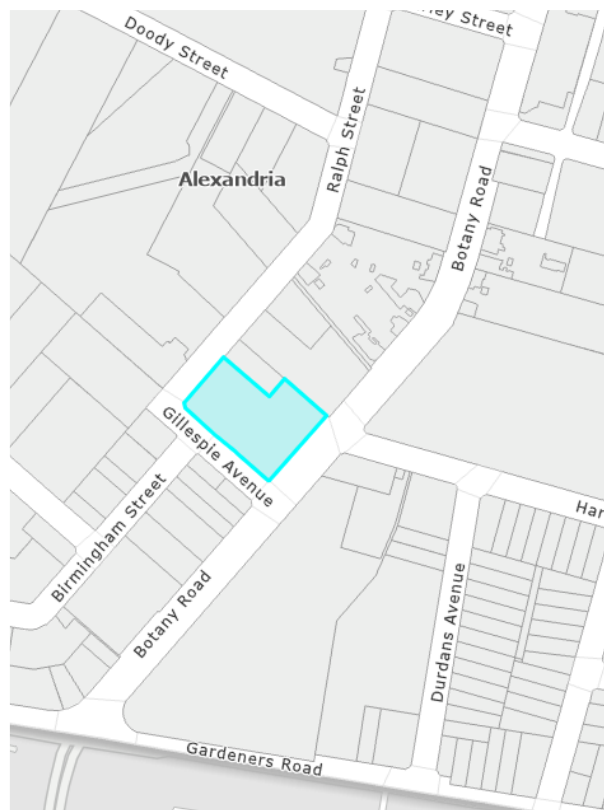


Figure 2: Location map of 4 Gillespie Avenue, Alexandria

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)

Officer: Joe Kalgovas

Date: 26 May 2025

Premises: 4 Gillespie Avenue, Alexandria

Executive Summary

1. The City of Sydney (the City) received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises dated 15 May 2025 with respect to matters of fire safety.
2. The premises consists of a 5 storey building used primarily for residential accommodation.
3. The City inspected the premises on 22 May 2025, accompanied by the Building Manager and a Strata Committee representative. This inspection identified fire safety provisions requiring maintenance, which can be addressed under the City's instruction.

Chronology

Date	Event
19 May 2025	FRNSW correspondence received.
22 May 2025	The City inspected the premises accompanied by the Building Manager and Strata Committee representative. The inspection identified several fire safety issues requiring maintenance.
27 May 2025	The City issued written instructions on 27 May 2025 detailing fire safety maintenance to be completed by 24 August 2025.

Fire and Rescue NSW Report

4. Fire and Rescue NSW conducted an inspection of the subject premises on 12 March 2025.

Issues

5. The report from Fire and Rescue NSW detailed issues as shown in the table below.

Ref.	Issue	City response
1	Compartment and Separation	
1A	The shafts provided for services throughout the building incorporated non-fire rated access panels.	The City's inspection on 22 May 2025 found the only access panels were openings for the temperance valves and did not open to service shafts, addressing this issue.
1B	The fire-isolated exit adjacent to car space 12 was penetrated by a number of electrical cables.	<p>During the City's inspection on 22 May 2025, temporary builder's electrical cables were found in the subject fire-isolated exit.</p> <p>The City issued written instructions on 26 May 2025, requiring all cables to be removed, and openings sealed by 24 August 2025.</p> <p>A follow up inspection is booked for 26 August 2025 to confirm works are completed in accordance with the City's instructions, addressing this issue.</p>
1C	A number of service penetrations from the car park through the first-floor slab did not comply with code requirements.	<p>The City's inspection on 22 May 2025 identified non-compliant service penetrations.</p> <p>The City issued written instructions on 26 May 2025, requiring service penetrations to be rectified by 24 August 2025.</p> <p>A follow up inspection is booked for 26 August 2025 to confirm works are completed in accordance with the City's instructions, addressing this issue.</p>
1D	Electrical service penetrations within the main switch room appear to have been altered to attempt to achieve compliance with the requirements of Clause C4D15 of the NCC. Works in this regard do not appear to have been completed in a compliant manner and a number of large holes have been cut into the fire-rated plasterboard such that it no longer achieves a Fire-Resistance Level.	<p>Incomplete and damaged electrical service penetration works within the main switch room are to be repaired.</p> <p>During the City's inspection on 22 May 2025, incomplete and damaged electrical service penetration works were observed within the main switch room.</p>

Ref.	Issue	City response
		<p>The City issued written instructions on 26 May 2025, requiring electrical service penetrations to be repaired by 24 August 2025.</p> <p>A follow up inspection is booked for 26 August 2025 to confirm works are completed in accordance with the City's instructions, addressing this issue.</p>
1E	The fire-isolated exit located adjacent to car space 38 was penetrated by what appeared to be a uPVC stormwater pipe.	<p>During the City's inspection on 22 May 2025, the subject pipe was observed as defective.</p> <p>The City issued written instructions on 26 May 2025, requiring removal or separation of the pipe by 24 August 2025.</p> <p>A follow up inspection is booked for 26 August 2025 to confirm works are completed in accordance with the City's instructions, addressing this issue.</p>
1F	The Fire Detection Control and Indicating Equipment (FDCIE) provided to active the sliding fire door in the car park has been provided with power via a power point.	<p>During the City's inspection on 22 May 2025, the power supply for the sliding fire door observed as defective.</p> <p>The City issued written instructions on 26 May 2025, requiring rectification by 24 August 2025.</p> <p>A follow up inspection is booked for 26 August 2025 to confirm works are completed in accordance with the City's instructions, addressing this issue.</p>
2	Services and Equipment	
2A	Exit Signs	
A	The exit sign assembly located above the exit door from the ground floor common area of building G5 did not incorporate a "running man" pictogram.	The City's inspection on 22 May 2025 noted exit signage on the ground floor had been rectified prior

Ref.	Issue	City response
		to the inspection, addressing this issue.
B	Exit signage was not provided above the door to the exit stair from the common area providing access to unit 58.	<p>During the City's inspection on 22 May 2025, exit signage was not observed above the door to the exit stair for the common area.</p> <p>The City issued written instructions on 26 May 2025, requiring installation of exit signage by 24 August 2025.</p> <p>A follow up inspection is booked for 26 August 2025 to confirm works are completed in accordance with the City's instructions, addressing this issue.</p>
2B	Fire Hydrant System	
A	An isolation valve was not provided immediately downstream of the boost inlets at the fire hydrant booster assembly.	<p>The City's inspection on 22 May 2025 did not identify an isolation valve as required.</p> <p>The City issued written instructions on 26 May 2025, requiring the isolation valve to be installed by 24 August 2025.</p> <p>A follow up inspection is booked for 26 August 2025 to confirm works are completed in accordance with the City's instructions, addressing this issue.</p>
B	The most hydraulically disadvantaged fire hydrant valve was not provided with a pressure gauge.	<p>The City's inspection on 22 May 2025 did not identify a pressure gauge as required.</p> <p>The City issued written instructions on 26 May 2025, requiring the pressure gauge to be installed by 24 August 2025.</p> <p>A follow up inspection is booked for 26 August 2025 to confirm works are completed in accordance with the City's instructions, addressing this issue.</p>

Ref.	Issue	City response
C	The external fire hydrant located in the middle courtyard area of the complex was located less than 750 mm from the finished ground level.	<p>The City's inspection on 22 May 2025 noted that hydrant installation appeared to be defective in the base building works and requires height adjustment.</p> <p>The City issued written instructions on 26 May 2025, requiring the necessary adjustment by 24 August 2025.</p> <p>A follow up inspection is booked for 26 August 2025 to confirm works are completed in accordance with the City's instructions, addressing this issue.</p>
3	Egress	
3A	The ground floor commercial tenancies located in building B were noted as having locks / latches attached to their exit doors and doors in the path of travel to an exit that cause a potential non-compliance.	<p>The City's inspection on 22 May 2025 found non-compliant locks and latches on doors.</p> <p>The City issued written instructions on 26 May 2025, requiring the non-compliant hardware to be removed by 24 August 2025.</p> <p>A follow up inspection is booked for 26 August 2025 to confirm works are completed in accordance with the City's instructions, addressing this issue.</p>
3B	Warning and operational signage to exit discharge doors was partially worn off and illegible in several locations.	<p>The City's inspection on 22 May 2025 identified damaged operational signage to exits discharge doors.</p> <p>The City issued written instructions on 26 May 2025, requiring signage to be repaired by 24 August 2025.</p> <p>A follow up inspection is booked for 26 August 2025 to confirm works are completed in accordance with the City's instructions, addressing this issue.</p>

Ref.	Issue	City response
3C	Multiple electrical distribution cupboards located in paths of travel to exits were not lined with non-combustible construction or sealed against the passage of smoke.	<p>The City's inspection on 22 May 2025 found non-compliant electrical distribution cupboards that require non-combustible lining and smoke sealing.</p> <p>The City issued written instructions on 26 May 2025, requiring rectification by 24 August 2025.</p> <p>A follow up inspection is booked for 26 August 2025 to confirm works are completed in accordance with the City's instructions, addressing this issue.</p>
3D	An e-bike was noted as having been chained to a balustrade within the ground floor common area of building G5 adjacent to the stair leading up from the basement car park. In this regard, the handlebars of the e-bike were noted as encroaching on the 1 metre path of travel width to the exit.	<p>The City's inspection on 22 May 2025 found no E-bikes at the premises, addressing this issue</p>
3E	The discharge doors from the exit stair adjacent to car space 38 are not openable from a single hand pushing action on a single device. In this regard, each door leaf required a pushing action on 2 separate devices (panic bars).	<p>The City's inspection on 22 May 2025 found non-compliant door hardware.</p> <p>The City issued written instructions on 26 May 2025, requiring the door hardware be rectified by the installation of a single device by 24 August 2025.</p> <p>A follow up inspection is booked for 26 August 2025 to confirm works are completed in accordance with the City's instructions, addressing this issue.</p>
3F	The external gate located outside the exit door from the ground floor common area of building G5 did not incorporate a latch operating device that allowed the gate to be opened with a single hand downward action.	<p>Single hand downward action is specified by Clause D3D26 and relates specifically to a door in, forming part, or in a path of travel to a required exit. Clause D2D15 does not regulate the latch on the subject gate. The City therefore considers that no further action is required to address this issue.</p>

Ref.	Issue	City response
3G	The handrail to the exit stair from the common area providing access to unit 58 was located close to the wall such that hand-hold would be broken.	<p>The City's inspection on 22 May 2025 identified handrail non-compliances that warrant rectification.</p> <p>The City issued written instructions on 26 May 2025, requiring handrails be rectified by 24 August 2025.</p> <p>A follow up inspection is booked for 26 August 2025 to confirm works are completed in accordance with the City's instructions, addressing this issue.</p>
4	General	
4A	A current Annual Fire Safety Statement was not displayed in a prominent location within the building.	During the City's inspection on 22 May 2025, the current Annual Fire Safety Statement was displayed in the main entrance lobby off Botany Road, addressing this issue.

6. FRNSW have recommended that the City inspect the subject premises and appropriately address noted (and other) deficiencies identified within their report..

Council Investigation Officer Recommendations

7. As a result of site inspections undertaken by the Council investigation officer a corrective action letter was issued on 27 May 2025 to the building owners to address the fire safety deficiencies identified by the City and FRNSW.
8. It is recommended that the Commissioner of FRNSW be informed of the City's decision.

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File Ref. No: FRN25/715 – BFS25/1171 - 8000040973
TRIM Ref. No: D25/050865
Contact: Ryan Maestri

15 May 2025

General Manager
Council of the 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
RESIDENTIAL FLAT BUILDING
4 GILLESPIE AVENUE, ALEXANDRIA ("the premises")**

Fire and Rescue NSW (FRNSW) received correspondence on 20 February 2025 concerning the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- *An e-bike has been chain locked to stair rails, at various hours of the day & night, on the ground floor stair corridor between two exit doors, which are also fire exits, and in an area where the stairwell leads to the underground carpark. This is in Building G5 of 4 Gillespie Ave where I live.*

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 12 March 2025.

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	ABN 12 593 473 110	www.fire.nsw.gov.au
Community Safety Directorate	1 Amarina Ave	T (02) 9742 7434
Fire Safety Compliance Unit	Greenacre NSW 2190	F (02) 9742 7483
www.fire.nsw.gov.au		Page 1 of 4

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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.

COMMENTS

The following items were identified during the inspection:

1. Compartmentation and Separation
 - 1A. The shafts provided for services throughout the building incorporated non fire-rated access panels, contrary to the requirements of Clause C4D14 of the National Construction Code Volume 1 2022 (NCC).
 - 1B. The fire-isolated exit adjacent to car space 12 was penetrated by a number of electrical cables, contrary to the requirements of Clause C4D10 of the NCC. FRNSW officers were advised that these cables had been recently installed as a temporary measure to facilitate works being undertaken in the building.
 - 1C. A number of service penetrations from the car park through the first floor slab did not comply with the requirements of Clause C4D15 of the NCC.
 - 1D. Electrical service penetrations within the main switch room appear to have been altered to attempt to achieve compliance with the requirements of Clause C4D15 of the NCC. Works in this regard do not appear to have been completed in a compliant manner and a number of large holes have been cut into the fire-rated plasterboard such that it no longer achieves a Fire-Resistance Level.
 - 1E. The fire-isolated exit located adjacent to car space 38 was penetrated by what appeared to be a uPVC stormwater pipe, contrary to the requirements of Clause C4D10 of the NCC.
 - 1F. The Fire Detection Control and Indicating Equipment (FDCIE) provided to activate the sliding fire door in the car park has been provided with power via a power point, contrary to the requirements of Clause 3.15 of AS 1670.1-2018 and AS/NZS 3000-2018.
2. Services and Equipment
 - 2A. Exit Signs
 - A. The exit sign assembly located above the exit door from the ground floor common area of building G5 did not incorporate a "running man" pictogram, contrary to the requirements of AS 2293.1-2018.
 - B. Exit signage was not provided above the door to the exit stair from the common area providing access to unit 58, contrary to the requirements of Clause E4D5 of the NCC.

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2B. Fire Hydrant System

- A. An isolation valve was not provided immediately downstream of the boost inlets at the fire hydrant booster assembly, contrary to the requirements of Clause 7.4 of AS 2419.1-2005.
- B. The most hydraulically disadvantaged fire hydrant valve was not provided with a pressure gauge, contrary to the requirements of Clause 9.3.2 of AS 2419.1-2005.
- C. The external fire hydrant located in the middle courtyard area of the complex was located less than 750 mm from the finished ground level, contrary to the requirements of Clause 3.5.1 of AS 2419.1-2005.

3. Egress

- 3A. The ground floor commercial tenancies located in building B were noted as having locks / latches attached to their exit doors and doors in the path of travel to an exit that cause a potential non-compliance with Clause D3D26 of the NCC. Access to these tenancies was not available at the time of the inspection and it is therefore unknown whether these tenancies receive an exemption under Subclause D3D26 (3) (b) (iii) due to their floor areas.
- 3B. Warning and operational signage to exit discharge doors was partially worn off and illegible in a number of locations, contrary to the requirements of Clause D3D28 of the NCC.
- 3C. Multiple electrical distribution cupboards located in paths of travel to exits were not lined with non-combustible construction or sealed against the passage of smoke, contrary to the requirements of Clause D3D8 of the NCC.
- 3D. An e-bike was noted as having been chained to a balustrade within the ground floor common area of building G5 adjacent to the stair leading up from the basement car park. In this regard, the handlebars of the e-bike were noted as encroaching on the 1 metre path of travel width to the exit, contrary to the requirements of Section 109 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
- 3E. The discharge doors from the exit stair adjacent to car space 38 are not openable from a single hand pushing action on a single device, contrary to the intent of Clause D3D26 of the NCC. In this regard, each door leaf required a pushing action on 2 separate devices (panic bars).
- 3F. The external gate located outside the exit door from the ground floor common area of building G5 did not incorporate a latch operating device that allowed the gate to be opened with a single hand downward action, contrary to the intent of Clause D2D15 of the NCC.

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- 3G. The handrail to the exit stair from the common area providing access to unit 58 was located close to the wall such that hand-hold would be broken, contrary to the requirements of Clause D3D22 of the NCC.

4. General

- 4A. A current Annual Fire Safety Statement was not displayed in a prominent location within the building contrary to the requirements of Section 89 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

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

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Review items 1 to 4 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 Ryan Maestri 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 FRN25/715 – BFS25/1171 - 8000040973 regarding any correspondence concerning this matter.

Yours faithfully



Ryan Maestri
Senior Building Surveyor
Fire Safety Compliance Unit