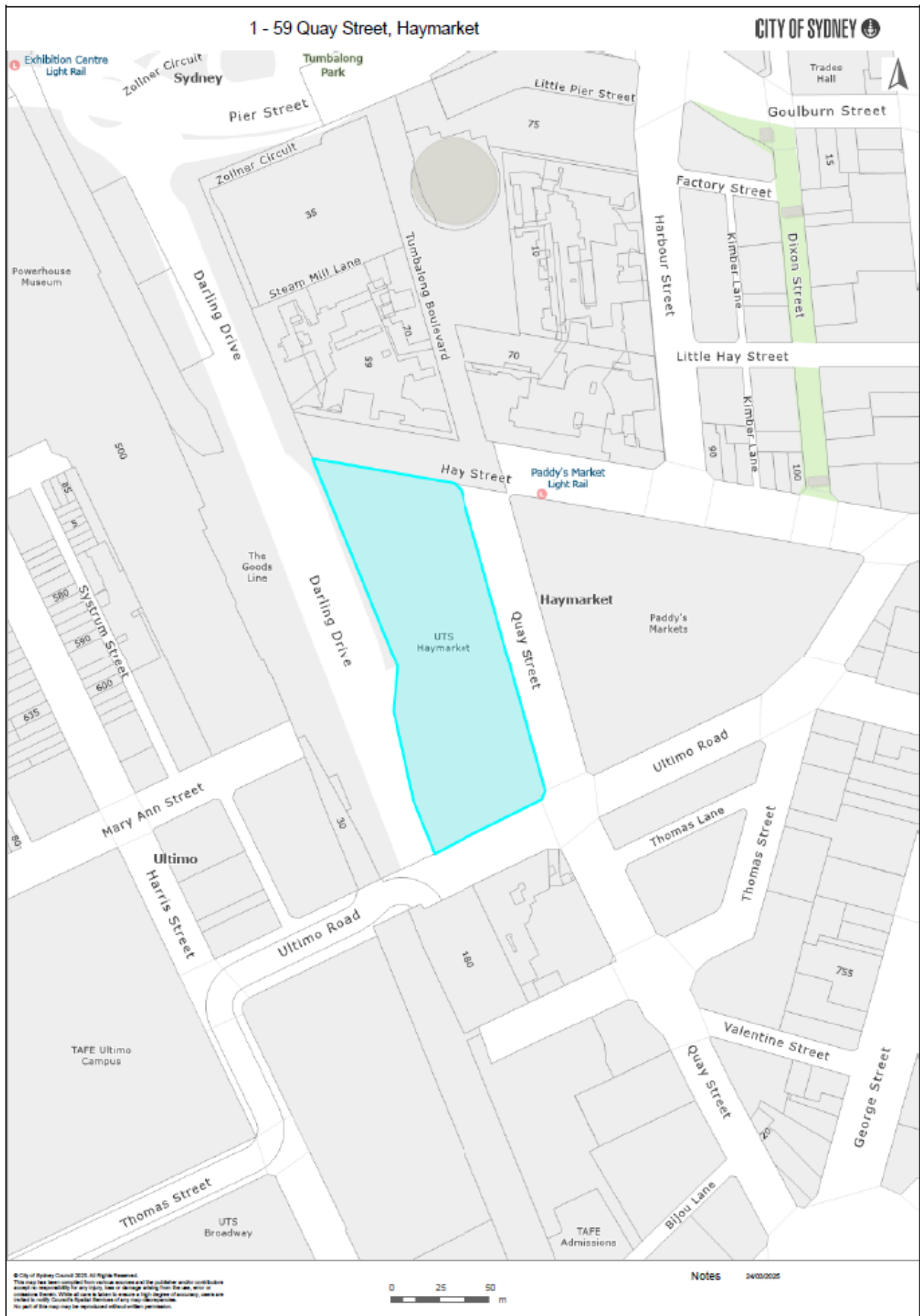


# **Attachment B**

|                                                                          |
|--------------------------------------------------------------------------|
| <p><b>Inspection Report</b><br/><b>1 - 59 Quay Street, Haymarket</b></p> |
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**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 3289708

**Officer:** Muhammad Hassan

**Date:** 27 March 2025

**Premises:** 1 - 59 Quay Street, Haymarket "Building 5, University of Technology Sydney"

**Executive Summary**

The City received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises dated 3 February 2025 with respect to matters of fire safety.

The premises contains 6 buildings that are used predominately for educational and administrative purposes. The buildings range in height from 2 to 5 levels.

The City inspected the premises on 26 March 2025, accompanied by the building services and operations manager and fire consultant. This inspection identified fire safety provisions requiring maintenance, which can be addressed under the City's instruction.

**Chronology**

| Date            | Event                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3 February 2025 | FRNSW correspondence received regarding premises 1 - 59 Quay Street, Haymarket                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 26 March 2025   | <p>An inspection of the subject premises was undertaken with the building services and operations manager and several fire safety consultants.</p> <p>The inspection revealed that the building contained the following maintenance issues:</p> <ol style="list-style-type: none"><li>1. The fire indicator panel contained a fault.</li><li>2. The glass cover to the mimic panel in 'block c' contained stains and the wording on the mimic panel could not be read.</li><li>3. The sprinkler block plan and the fire hydrant block plans are missing information that is required by the relevant Australian Standard.</li><li>4. Boost pressure and test pressure signage was not provided at the fire hydrant booster assembly.</li><li>5. Signage indicating the maximum allowable inlet pressure was not located at the sprinkler booster assembly.</li><li>6. Clearances between sprinkler and hydrant booster equipment and the sprinkler and hydrant booster cabinet fail to meet the requirements of the relevant Australian Standard.</li><li>7. A 150mm diameter pressure gauge indicating the pressure at the pump discharge pipe/manifold and an engraved warning sign has not been provided at the fire hydrant booster assembly.</li></ol> |

|               |                                                                                                                                                                          |
|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 28 March 2025 | The City issued a corrective action letter detailing fire safety maintenance to be completed in three stages, namely by 4 April 2025, 27 May 2025 and 26 June 2025.      |
| 1 April 2025  | The City received confirmation from the owner's representative that the single fault on the fire indicator panel has been rectified, and the system now shows no faults. |

### Fire and Rescue NSW Report

Fire and Rescue NSW conducted an inspection of the subject premises on 13 November 2024.

The report from FRNSW detailed a number of issues as shown in the table below.

| Ref  | Issue                                                                                                           | City response                                                                                                                                                                                                                                                                                                                                                                                                  |
|------|-----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.   | <b>Essential Services</b>                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                |
| i.   | At the time of the inspection, the Fire Detection Control and Indicating Equipment (FDCIE) displayed one fault. | <p>The City's inspection on 26 March 2025 observed the FDCIE displayed a single fault. Consequently, the City issued written compliance instructions, requiring the issue to be rectified by 4 April 2025.</p> <p>On 1 April 2025 the City received confirmation from the owner's representative that the single fault on the fire indicator panel has been rectified, and the system now shows no faults.</p> |
| 2.   | <b>Fire Hydrant System</b>                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                |
| i.   | The block plan provided at the booster assembly does not include all the relevant information.                  | The City's inspection on 26 March 2025 identified missing information on the block plan. Consequently, the City issued written compliance instructions, requiring the issue to be rectified by 27 May 2025. Follow-up inspections will be conducted to ensure the work is completed, addressing this issue.                                                                                                    |
| ii.  | A block plan has not been provided at the pump room, contrary to the requirements of Clause 11.5.               | The City's inspection on 26 March 2025 identified the block plan was not at the pump room. Consequently, the City issued written compliance instructions, requiring the issue to be rectified by 27 May 2025. Follow-up inspections will be conducted to ensure the work is completed, addressing this issue.                                                                                                  |
| iii. | The internal hydrants throughout the premises not located within the required fire-isolated stairways.          | The fire hydrant booster was installed under Ordinance 70 and there were no requirements to install fire hydrants within the fire isolated exit stair. As the building is existing, it is not required to comply with current building code requirements and no action is required to address this.                                                                                                            |

| Ref  | Issue                                                                                                                                                                                                                                                                                                             | City response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| iv.  | Boost pressure and test pressure signage was not provided at the booster assembly.                                                                                                                                                                                                                                | The City's inspection on 26 March 2025 identified missing signage.<br><br>Consequently, the City issued written compliance instructions, requiring the issue to be rectified by 27 May 2025. Follow-up inspections will be conducted to ensure the work is completed, addressing this issue.                                                                                                                                                                                                                                                    |
| v.   | The booster enclosure is not appropriately sized and is not capable of housing all the required equipment. Clearances between the installed fire equipment and the inside of the cabinet fail to meet current code requirements.                                                                                  | The fire hydrant booster was installed under Ordinance 70 and there were no clearance requirements under this code. Although it will be a little more difficult to operate the equipment, FRNSW can still operate the equipment, addressing this issue.                                                                                                                                                                                                                                                                                         |
| vi.  | The block plan indicates that the booster assembly may be connected 'in series' with the fixed on-site fire pump. In this regard, a 150mm diameter liquid filled pressure gauge indicating the pressure at the pump discharge pipe/manifold and an engraved warning sign is not provided at the booster assembly. | The City's inspection on 26 March 2025 identified the pressure gauge and warning sign was not provided. Consequently, the City issued written compliance instructions, requiring the issue to be rectified by 26 June 2025. Follow-up inspections will be conducted to ensure the work is completed, addressing this issue.                                                                                                                                                                                                                     |
| vii. | An isolating valve has not been provided immediately downstream of the boost inlet connection.                                                                                                                                                                                                                    | The City's inspection observed the building's fire hydrant booster was installed under Ordinance 70 and parts of the fire hydrant system serving the building were upgraded to Australian Standard AS 2419.1-1994. The inspection also observed that valves are not fitted to the boost inlet as required by this standard. Consequently, the City issued written compliance instructions, requiring the issue to be rectified by 26 June 2025. Follow-up inspections will be conducted to ensure the work is completed, addressing this issue. |
| 3.   | <b>Automatic Fire Sprinkler System</b>                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| i.   | A plan of risk (block plan) was not provided adjacent to the sprinkler booster.                                                                                                                                                                                                                                   | The City's inspection on 26 March 2025 identified missing information on the block plan. Consequently, the City issued written compliance instructions, requiring the issue to be rectified by 27 May 2025. Follow-up inspections will be conducted to ensure the work is completed, addressing this issue.                                                                                                                                                                                                                                     |
| ii.  | The plan of risk (block plan) provided at the pump room does not include all the relevant information.                                                                                                                                                                                                            | The City's inspection on 26 March 2025 identified missing information on the block plan. Consequently, the City issued written compliance instructions, requiring the issue to be rectified by 27 May 2025. Follow-up inspections will be conducted                                                                                                                                                                                                                                                                                             |

| Ref  | Issue                                                                                                                                                                                                                            | City response                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|      |                                                                                                                                                                                                                                  | to ensure the work is completed, addressing this issue.                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| iii. | Feed fire hydrants have not been installed onsite adjacent to the booster inlet connections.                                                                                                                                     | The sprinkler booster was installed to Australian Standard AS 2118 – 1982 and there were no requirements to install feed fire hydrants under this standard. Even under Australian Standard AS 2118.1-1999 there are no requirements to install feed fire hydrants providing that a street hydrant is located within 20m of a fire brigade pump appliance that could be parked within 15m of the inlet boosters. A street hydrant is located within such a location, addressing this issue. |
| iv.  | The booster enclosure is not appropriately sized and is not capable of housing all the required equipment. Clearances between the installed fire equipment and the inside of the cabinet fail to meet current code requirements. | The sprinkler booster was installed under Ordinance 70 and there were no clearance requirements under this code. Although it will be a little more difficult to operate the equipment, FRNSW can still operate the equipment, addressing this issue.                                                                                                                                                                                                                                       |
| 4.   | <b>Annual Fire Safety Statement (AFSS)</b>                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| i.   | At the time of the inspection, the AFSS that was displayed did not appear to be up to date                                                                                                                                       | The City's inspection on 26 March 2025 identified the AFSS was correctly dated. Addressing this issue.                                                                                                                                                                                                                                                                                                                                                                                     |

FRNSW have recommended that the City inspect the subject premises and appropriately address noted (and 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) |
|-------------------|-----------------------|------------------------------------------|-------------------------|--------------------------------------------------------------------------------------|------------------------------------------------------------------|--------------------|
|                   |                       |                                          |                         |                                                                                      |                                                                  |                    |

As a result of the above site inspection undertaken by Council's investigation officers a corrective action letter was issued on 28 March 2025 to the building owners to address the fire safety deficiencies identified by the City and FRNSW.

It is recommended that the Commissioner of FRNSW be informed of the City's decision.

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File Ref. No: FRN24/3142 - BFS24/6844 - 8000038794  
TRIM Ref. No: D2025/007631  
Contact: Conor Hackett

3 February 2025

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT  
UNIVERSITY OF TECHNOLOGY SYDNEY  
BUILDING 5 QUAY STREET ULTIMO ("the premises")**

Fire and Rescue NSW (FRNSW) received correspondence on 22 October 2024 concerning the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

*On the first set of stairs within level 2 block A there is a wall been built and stops access between levels 3 and 4 that allows safe access and escape between levels if your within these stairs.*

*Building C has issues with the fire panel where there is no tones being activated in parts of the building and can't be heard at all with the fire panel indicating the wrong locations of the detector.*

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 13 November 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:

|                                                              |                    |                                                              |
|--------------------------------------------------------------|--------------------|--------------------------------------------------------------|
| Fire and Rescue NSW                                          | ABN 12 593 473 110 | <a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a> |
| Community Safety Directorate                                 | 1 Amarina Ave      | T (02) 9742 7434                                             |
| Fire Safety Compliance Unit                                  | Greenacre NSW 2190 | F (02) 9742 7483                                             |
| <a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a> |                    | Page 1 of 5                                                  |

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- 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.

## COMMENTS

This report is limited to observations and sections of the building accessed at the time of the inspection and includes potential deviations from the National Construction Code 2022 Building Code of Australia – Volume One (NCC) and applicable Australian Standards.

Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed may contradict development consent approval or any fire engineered performance solutions.

In this regard, it is at council's discretion as the appropriate regulatory authority to consider the most appropriate action and determine whether an investigation is required.

The following items were identified during the inspection:

### *Essential Fire Safety Measures*

1. Section 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (the DCFS Regulation) requires that an Essential Fire Safety Measure must be maintained to a standard no less than when it was first installed.

At the time of the inspection, the Fire Detection Control and Indicating Equipment (FDCIE) – The FDCIE displayed one fault. Management agreed to consult with Fire Contractors to investigate the fault.

On 22 November 2024 an email was received from Building Management confirming that the fault had been repaired. Accordingly, no enforcement action was taken by FRNSW.

2. Fire Hydrant System: The fire hydrant system appears to be installed in accordance with Ordinance 70 and Ministerial Specification No.10. Notwithstanding this, the following deviations from AS2419.1-2021 and other items have been identified, which are of concern to FRNSW:
  - i. The block plan provided at the booster assembly does not include all the relevant information as prescribed at Clause 11.5.
  - ii. A block plan has not been provided at the pump room, contrary to the requirements of Clause 11.5.

- iii. The internal hydrants throughout the premises not located within the required fire-isolated stairways, contrary to the requirements of Clause 3.6.
- iv. Boost pressure and test pressure signage was not provided at the booster assembly, contrary to the requirements of Clause 11.3.4.
- v. The booster enclosure is not appropriately sized and is not capable of housing all the required equipment, contrary to the requirements of Clause 11.2.1.1. Clearances between the installed fire equipment and the inside of the cabinet fail to meet the requirements of Clause 11.2.1.2.
- vi. The block plan indicates that the booster assembly may be connected 'in series' with the fixed on-site fire pump in accordance with the requirements of Clause 6.8. In this regard, a 150mm diameter liquid filled pressure gauge indicating the pressure at the pump discharge pipe/manifold and an engraved warning sign is not provided at the booster assembly, contrary to the requirements of Clause 6.8.2(c).
- vii. An isolating valve has not been provided immediately downstream of the boost inlet connection, contrary to the requirements of Clause 7.5.1(g) of AS2419.1-2021.

The following is the formal position of FRNSW regarding Ordinance 70 Hydrant Systems:

*When a consent authority (e.g. Council) is assessing the adequacy of an existing fire hydrant system installed in accordance with the provisions of Ordinance 70 and Ministerial Specification 10 (or earlier), FRNSW recommend that the system be upgraded to meet the requirements of AS 2419.1:2021 to facilitate the needs of FRNSW appropriate to firefighting operations.*

*Additionally, any existing fire hydrant system that incorporates an internal booster connection for portable relay pumps (e.g. under Ordinance 70, AS 2419.1-1994) should be upgraded to remove the portable relay pump connection.*

*FRNSW acknowledge that all aspects of AS 2419.1:2021 may not be able to be complied with due to the characteristics and constraints of the existing fire hydrant system and/or building or premises. A bespoke upgrade solution may be required.*

- 3. Automatic Fire Sprinkler System – The fire sprinkler system provides only partial coverage of the premises and appears to be installed in accordance with Ordinance 70, however, the following deviations from AS2118.1-2017 and other items have been identified, which are of concern to FRNSW:
  - i. A plan of risk (block plan) was not provided adjacent to the sprinkler booster, contrary to the requirements of Clause 8.3.

- ii. The plan of risk (block plan) provided at the pump room does not include all the relevant information as prescribed at Clause 8.3.
- iii. Feed fire hydrants have not been installed onsite adjacent to the booster inlet connections, contrary to the requirements of Clause 4.14.2.
- iv. The booster enclosure is not appropriately sized and is not capable of housing all the required equipment, contrary to the requirements of Clause 11.2.1.1 of AS 2419.1:2021. Clearances between the installed fire equipment and the inside of the cabinet fail to meet the requirements of Clause 11.2.1.2 of AS 2419.1:2021.

The following is the formal position of FRNSW regarding existing automatic fire sprinkler systems installed in an occupied building:

*When a consent authority (e.g. Council) is assessing the adequacy of an existing automatic fire sprinkler system installed in an occupied building or premises, or lack thereof, FRNSW recommend it be assessed against the current National Construction Code (NCC) requirements for the given use and occupancy hazard classification.*

*Any sprinkler system that incorporates an internal booster connection for portable relay pumps, whether for operation or for redundancy (e.g. relay pump failure), should be upgraded to remove the portable relay pump connection.*

*The following should also be considered when determining whether a fire sprinkler system should be upgraded or retrospectively installed in an existing building or premises:*

- *The suitability of the sprinkler system's standard of performance (e.g. any sprinkler system designed to a standard prior to AS 2118, such as CA16, should be upgraded).*
- *Whether a building undergoing change in use has a sprinkler system design commensurate to the actual occupancy hazard classification.*
- *The degree of modified internal fit out which dictates any level of non-compliant sprinkler coverage areas, and associated fire risks, that warrant a redesign or extension of the system.*
- *Whether the given building requires an automatic fire sprinkler system be installed under the current NCC.*

*FRNSW acknowledge that all aspects of the relevant fire sprinkler system may not be able to be complied with due to the characteristics and constraints of the existing sprinkler system, retrospective installation and/or building or premises. A bespoke solution may be required.*

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*General*

4. Annual Fire Safety Statement (AFSS) – Section 88 of the DCFS Regulation requires the AFSS be updated annually. At the time of the inspection, the AFSS that was displayed did not appear to be up to date.

**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 Conor Hackett of FRNSW's Fire Safety Compliance Unit at [FireSafety@fire.nsw.gov.au](mailto: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 FRN24/3142 - BFS24/6844 - 8000038794 regarding any correspondence concerning this matter.

Yours faithfully



Conor Hackett  
Senior Building Surveyor  
Fire Safety Compliance Unit