

Attachment D

**Inspection Report
117-119 Kippax Street, Surry Hills**

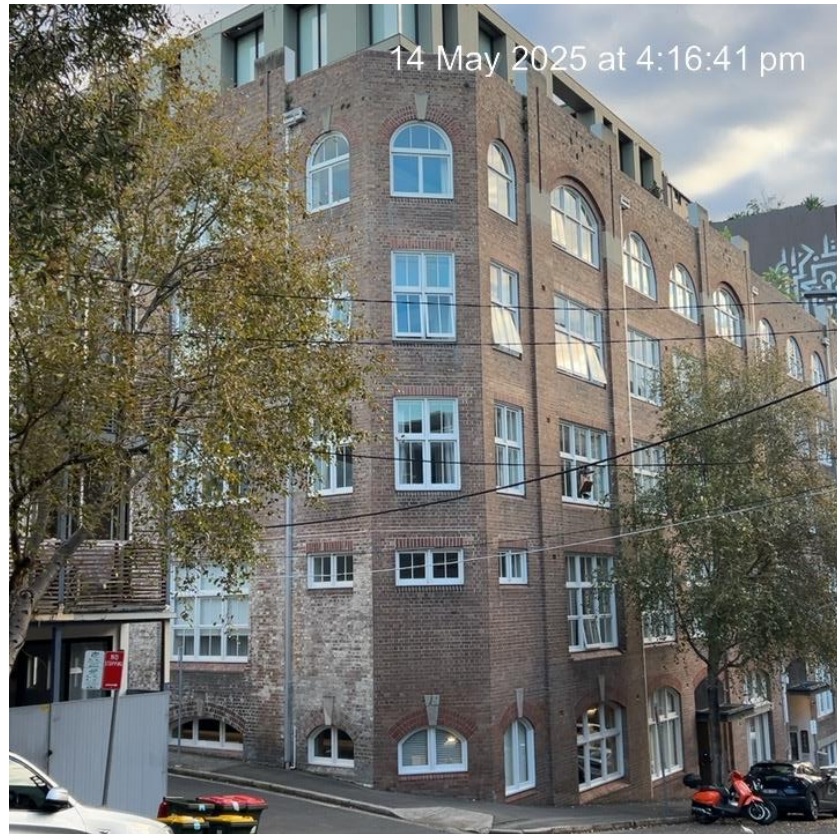


Figure 1: 117-119 Kippax Street, Surry Hills, viewed from the south-west



Figure 2: Location map of 117-119 Kippax Street, Surry Hills

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: Muhammad Hassan

Date: 24 April 2025

Premises: 117-119 Kippax Street, Surry Hills

Executive Summary

1. The City received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises dated 11 March 2025 with respect to matters of fire safety.
2. The premises consists of an eight (8) storey building used for commercial offices and residential apartments.
3. The City inspected the premises on 17 April 2025. This inspection identified fire safety provisions requiring maintenance, which can be addressed under the City's instruction.
4. The inspection also noted that the building contains external wall cladding that is the subject of a Fire Safety Order issued by the City's dedicated Cladding Team on 24 November 2023. This order requires the removal and replacement of combustible cladding identified on the building façade.
5. As this Order is now overdue, the required works are being pursued by the Cladding Team and may be referred to the City's legal team if delays continue to occur.

Chronology

Date	Event
11 March 2025	FRNSW correspondence received regarding the subject premises at 11-119 Kippax Street, Surry Hills.
17 April 2025	The City inspected the premises on 17 April 2025 and observed the following maintenance issues. 1. A zone block plan was not located beside the Fire Indicator Panel (FIP). 2. The signage labelling the booster assembly noted the wrong address and was confusing. 3. A complete copy of the Annual Fire Safety Statement was not displayed in the main foyer of the building. 4. The sprinkler block plan lacked information required by Clause 8.3 of AS 2118.1 – 1999. 5. The fire hydrant valves located on the top floor landings of the fire isolated exit stairs lacked a pressure gauge in accordance with the requirements of Clause 9.3.2 of AS 2419.1-2005. 6. Signage located within the fire isolated exit stairs at the ground and lower ground level were not displayed in accordance with the Fire Safety Engineering Report – Reference 144014-ce Issue No. 3-1 dated 17 November 2016, prepared by Scientific Fire Services Fire Engineering Report (FER). 7. Block plans and tactical plans were not provided beside the FIP, mimic panel and booster assembly as required by FER. 8. Appropriate signage was not installed at the FIP indicating the booster location and the fact that the booster location is identified by a red strobe light as required by the FER. 9. Signage detailing the location of the fire hydrant booster and sprinkler booster assembly, sprinkler valves and hydrant/sprinkler pump room was not provided adjacent to the FIP as required by the FER. 10. Remote switching of the fire hydrant and sprinkler pumps was not located at the FIP as required by the FER.
24 April 2025	The City issued written instructions on 24 April 2025 detailing fire safety maintenance to be completed by 23 June 2025.

Fire and Rescue NSW Report

6. FRNSW conducted an inspection of the subject premises on 12 February 2025.

Issues

7. The report from FRNSW detailed issues as shown in the table below.

Ref.	Issue	City response
1	Essential Fire Safety Measures	
1A	The Automatic Fire Detection and Alarm System	
A	The Fire Indicator Panel (FIP) was displaying one 'Fault'.	The City's inspection on 17 April 2025 observed no faults on the FIP, addressing this issue.
B	Zone Block Plan - A permanent, water and fade resistant zone block plan, depicting all the relevant information of the installation, was not securely mounted adjacent to the Fire Indicator Panel (FIP).	The City's inspection on 17 April 2025 did not find a required block plan. Consequently, the City issued written compliance instructions, requiring the issue to be rectified by 23 June 2025. Follow-up inspections will be conducted to ensure the work is completed, addressing this issue.
1B	The Combined Fire Hydrant and Sprinkler System	
A	The fire brigade booster assembly	
i	Signage labelling the booster assembly is confusing. In this regard, the signage indicates the booster serves 119-127 Kippax Street, however the booster appears to serve 117-119 Kippax Street and 127 Kippax Street could not be located. FRNSW recommend the signage indicate the current street numbers to avoid confusion.	The City's inspection on 17 April 2025 confirmed booster assembly signage was confusing. Consequently, the City issued written compliance instructions, requiring the issue to be rectified by 23 June 2025. Follow-up inspections will be conducted to ensure the work is completed, addressing this issue.
1C	Annual Fire Safety Statement (AFSS) and Fire Safety Schedule (FFSC)	
A	A copy of the current AFSS and a complete copy of the FSS was not prominently displayed within the building.	The City's inspection on 17 April 2025 confirmed the AFSS was not on display. Consequently, the City issued written compliance instructions, requiring the issue to be rectified by 23 June 2025.

Ref.	Issue	City response
		Follow-up inspections will be conducted to ensure the work is completed, addressing this issue.
1D	Fire Engineering Report (FER) – A review of FRNSW records indicates the building is subject to 'Revised Final Fire Safety Engineering Report – Reference 144014-ce Issue No. 3-1 dated 17 November 2016, prepared by Scientific Fire Services. The following comments are provided	
A	Design Issue 8 and 10 relating to “travel via fire isolated exits and discharge of exits” (Section 18) requires the following:	
i	Signage within both fire isolated stairways at the ground floor level (i.e. the discharge level) stating “Exit at Ground Level” or “Alternative Exit at Basement Level”. In this regard, the discharge of the fire stairways is confusing because the signage at ground level only states: “Ground Level” and “Alternative Exit at Basement Level” and there is no signage or exit signage to alert occupant that the ground floor level is the actual discharge level. The signage is also inconsistent with the requirements of the FER.	The City's inspection on 17 April 2025 confirmed signage needs to be amended and added. Consequently, the City issued written compliance instructions, requiring the issue to be rectified by 23 June 2025. Follow-up inspections will be conducted to ensure the work is completed, addressing this issue.
B	Design Issue 11 relating to “Location of Booster Assembly” (Section 20) requires the following:	
i	Block plans and tactical firefighting plans are to be provided at the Fire Indicator Panel (FIP), Mimic Panel and the booster. In this regard, tactical firefighting plans are not provided at the FIP or the booster assembly and block plans are not provided at the FIP which is inconsistent with the requirements of the FER.	The City's inspection on 17 April 2025 confirmed the plans are not provided at FIP or booster locations. To address this, the City issued written compliance instructions, requiring the issue to be rectified by 23 June 2025. Follow-up inspections will be conducted to ensure the work is completed, addressing this issue.
ii	Appropriate signage should be installed in the fire control centre/room (or at the Fire Indicator Panel) indicating the booster location, and the fact the location is identified by a red strobe light. In this regard, no such signage is provided at the FIP and is therefore inconsistent with the requirements of the FER.	The City's inspection on 17 April 2025 confirmed signage needs to be added. To address this, the City issued written compliance instructions, requiring the issue to be rectified by 23 June 2025. Follow-up inspections will be conducted to ensure the work is completed, addressing this issue.

Ref.	Issue	City response
C	Design Issue 12 relating to “Hydrant Pump and Sprinkler Valve Enclosure” (Section 21) requires the following:	
i	Block plans and tactical firefighting plans are to be provided at the Fire Indicator Panel (FIP), and the booster assembly in accordance with Section 7.11 of AS2419.1 and the FRNSW Tactical Fire Fighting Plans Guideline (Policy number 6, Version 02). As identified above in item 1D.B.(i), tactical firefighting plans are not provided at the FIP or the booster assembly and block plans are not provided at the FIP which is inconsistent with the requirements of the FER.	The City’s inspection on 17 April 2025 confirmed the plans are not provided. Consequently, the City issued written compliance instructions, requiring the issue to be rectified by 23 June 2025. Follow-up inspections will be conducted to ensure the work is completed, addressing this issue.
ii	Signage detailing the location of the fire hydrant booster and sprinkler booster assembly, sprinkler valves and hydrant/sprinkler pump room should be provided adjacent to the Fire Indicator Panel located within the main entrance of the building. The sign is required to include a floor mud map plan of the building clearly indicating the aforementioned areas. In this regard, signage and a floor plan is not provided at the FIP and is therefore inconsistent with the requirements of the FER.	The City’s inspection on 17 April 2025 confirmed the signage and plans are not provided as required. Consequently, the City issued written compliance instructions, requiring the issue to be rectified by 23 June 2025. Follow-up inspections will be conducted to ensure the work is completed, addressing this issue.
iii	Remote switching of the hydrant and sprinkler valve pumps is to be provided at both the FIP and the Booster Location which provides a manual stop button and also a “Pump Running” indicator light, thus providing fire brigade personnel with the capability to remotely turn on/ or off the hydrant and sprinkler pump system. In this regard, remote switching is provided at the booster assembly only and not at the FIP and is therefore inconsistent with the requirements of the FER.	The City’s inspection on 17 April 2025 confirmed remote switching is needed at the FIP. To address this, the City issued written compliance instructions, requiring the issue to be rectified by 23 June 2025. Follow-up inspections will be conducted to ensure the work is completed, addressing this issue.

8. 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

9. As a result of site inspections undertaken by the Council investigation officer:
- (a) A corrective action letter was issued on 24 April 2025 to the building owners to address the fire safety deficiencies identified by the City and FRNSW. Follow up inspections will be undertaken to ensure action has been taken to the satisfaction of authorised officers and further compliance action will be taken if this is not the case.
 - (b) It is recommended Council not exercise its powers to give a fire safety order at this time.
 - (c) It is recommended that the Commissioner of FRNSW be informed of the City's decision.

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File Ref. No: FRN25/601 - BFS25/891 – 8000040760
TRIM Ref. No: D25/15112
Contact: Mark Knowles

11 March 2025

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
117-119 KIPPAX STREET, SURRY HILLS ("the premises")**

In response to the Project Remediate programme being undertaken by the NSW Department of Customer Service, to remove high-risk combustible cladding on residential apartment buildings in NSW, an inspection of 'the premises' on 12 February 2025 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW), pursuant to the provisions of Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

In this instance, the inspection revealed fire safety concerns that may require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

In this regard, the inspection was limited to the following:

- Those parts of the building where access could be gained, which included the Level 1 residential common areas of 117 Kippax Street (No.1 Lacey), the fire isolated stairways, the lower ground floor loading area, the ground floor commercial level, the fire indicator panel, the booster assembly and the pumproom/sprinkler valve room.
- A general overview of the building was obtained without using the development consent conditions or approved floor plans as reference.

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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- 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.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

COMMENTS

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items outline concerns in general terms, deviations from the fire safety provisions prescribed in Section 9.32(1)(b) of the EP&A Act and Clause 112 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021).

The following was observed at the time of the inspection:

1. Essential Fire Safety Measures

1A. The Automatic Fire Detection and Alarm System:

- A. The Fire Indicator Panel (FIP) was displaying one (x1) 'Fault' identified as "Zone 3 Ground Floor – Outdoor Area – Heat".
- B. Zone Block Plan - A permanent, water and fade resistant zone block plan, depicting all the relevant information of the installation, was not securely mounted adjacent to the Fire Indicator Panel (FIP), contrary to the requirements of Clause 3.10 of AS1670.1-2018.

1B. The Combined Fire Hydrant and Sprinkler System:

- A. The fire brigade booster assembly:
 - i. Signage labelling the booster assembly is confusing. In this regard, the signage indicates the booster serves 119-127 Kippax Street, however the booster appears to serve 117-119 Kippax Street and 127 Kippax Street could not be located. FRNSW recommend the signage indicate the current street numbers to avoid confusion.

1C. Annual Fire Safety Statement (AFSS) and Fire Safety Schedule (FSS):

- A. A copy of the current AFSS and a complete copy of the FSS was not prominently displayed within the building in accordance with Section 89 of the EPAR 2021.

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- 1D. Fire Engineering Report (FER) – A review of FRNSW records indicates the building is subject to 'Revised Final Fire Safety Engineering Report – Reference 144014-ce Issue No. 3-1 dated 17 November 2016, prepared by Scientific Fire Services. The following comments are provided:
- A. Design Issue 8 and 10 relating to “travel via fire isolated exits and discharge of exits” (Section 18) requires the following:
 - i. Signage within both fire isolated stairways at the ground floor level (i.e. the discharge level) stating “Exit at Ground Level” or “Alternative Exit at Basement Level”. In this regard, the discharge of the fire stairways is confusing because the signage at ground level only states: “Ground Level” and “Alternative Exit at Basement Level” and there is no signage or exit signage to alert occupant that the ground floor level is the actual discharge level. The signage is also inconsistent with the requirements of the FER.
 - B. Design Issue 11 relating to “Location of Booster Assembly” (Section 20) requires the following:
 - i. Block plans and tactical fire fighting plans are to be provided at the Fire Indicator Panel (FIP), Mimic Panel and the booster assembly in accordance with Section 7.11 of AS2419.1 and the FRNSW Tactical Fire Fighting Plans Guideline (Policy number 6, Version 02). In this regard, tactical fire fighting plans are not provided at the FIP or the booster assembly and block plans are not provided at the FIP which is inconsistent with the requirements of the FER.
 - ii. Appropriate signage should be installed in the fire control centre/room (or at the Fire Indicator Panel) indicating the booster location, and the fact the location is identified by a red strobe light. In this regard, no such signage is provided at the FIP and is therefore inconsistent with the requirements of the FER.
 - C. Design Issue 12 relating to “Hydrant Pump and Sprinkler Valve Enclosure” (Section 21) requires the following:
 - i. Block plans and tactical fire fighting plans are to be provided at the Fire Indicator Panel (FIP), and the booster assembly in accordance with Section 7.11 of AS2419.1 and the FRNSW Tactical Fire Fighting Plans Guideline (Policy number 6, Version 02). As identified above in item 1D.B.(i), tactical fire fighting plans are not provided at the FIP or the booster assembly and block plans are not provided at the FIP which is inconsistent with the requirements of the FER.

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- ii. Signage detailing the location of the fire hydrant booster and sprinkler booster assembly, sprinkler valves and hydrant/sprinkler pump room should be provided adjacent to the Fire Indicator Panel located within the main entrance of the building. The sign is required to include a floor map plan of the building clearly indicating the aforementioned areas. In this regard, signage and a floor plan is not provided at the FIP and is therefore inconsistent with the requirements of the FER.
- iii. Remote switching of the hydrant and sprinkler valve pumps is to be provided at both the FIP and the Booster Location which provides a manual stop button and also a "Pump Running" indicator light, thus providing fire brigade personnel with the capability to remotely turn on/ or off the hydrant and sprinkler pump system. In this regard, remote switching is provided at the booster assembly only and not at the FIP and is therefore inconsistent with the requirements of the FER.

FRNSW is therefore of the opinion that the fire safety provisions prescribed for the purposes of 9.32(1)(b) of the EP&A Act, have not been complied with.

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address item no. 1 of this report.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Mark Knowles of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference FRN25/601 - BFS25/891 – 8000040760 for any future correspondence in relation to this matter.

Yours faithfully



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit