

Attachment E

**Inspection Report
82-88 Elizabeth Street, Sydney**



Figure 1: 82-88 Elizabeth Street, Sydney, viewed from the east



Figure 2: Location map of 82-88 Elizabeth Street, Sydney

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: Luke Jeffree

Date: 28 April 2025

Premises: 82-88 Elizabeth Street, Sydney

Executive Summary

1. The City inspected the premises on 4 March 2025, accompanied by Fire and Rescue NSW (FRNSW) Officers. This joint inspection was in response to the City's request for advice relating to a current Fire Safety Order issued by the City, last modified on 4 June 2024. The inspection did not raise any fire safety issues.
2. The City subsequently received correspondence from FRNSW in relation to the subject premises dated 12 March 2025 with respect to matters of fire safety advice.
3. The premises consists of a fifteen (15) storey building used for commercial purposes.

Chronology

Date	Event
12 March 2025	FRNSW correspondence received regarding the premises at 82-88 Elizabeth Street, Sydney. The correspondence refers to an inspection of the premises which was requested by the City and conducted with FRNSW officers on 4 March 2025. This inspection was carried out in response to the City's request for comments made in June 2024 and gave opportunity to FRNSW officers to question the owner's fire engineers about various technical aspects of the proposed integrated hydrant mist system which was being considered for endorsement by FRNSW.

Fire and Rescue NSW Report

4. FRNSW conducted an inspection of the subject premises on 4 March 2025.

Issues

5. The report from FRNSW detailed advice as shown in the table below.

Ref.	Issue	City response
1	Performance solution 1	
1A	FRNSW supports the integration of the Australian Standard (AS) 4587:1999 Water Mist Fire Protection System with the AS 2419:2005 Fire Hydrant Installation.	FRNSW's advice is and will be considered in any future modification of the City's Fire Safety Order.
2	Performance Solution 5 Item (a)	
2A	FRNSW supports the combined fire hydrant/mist booster assembly at the ground floor lobby.	FRNSW's advice is noted and will be taken into consideration in any future modification of the City's Fire Safety Order.
3	Performance Solution 5 Item (b)	
3A	FRNSW supports the combined fire hydrant/mist pump room located on the roof. FRNSW noted the installation of controls for the pumps and signage showing the location of the pump room at the FIP.	FRNSW's advice is noted and may be taken into consideration in any future modification of the City's Fire Safety Order.
4	Performance Solution 5 Item (c)	
4A	In this instance, FRNSW supports only one internal fire hydrant within the fire isolated stairs on the ground and basement levels.	FRNSW's advice is noted and may be taken into consideration in any future modification of the City's Fire Safety Order.
5	The on-site water storage has an exhaustible supply, which will require firefighters to supplement the onsite water storage, by boosting the combined system. Signage at the FDCIE and booster assembly is to be installed for firefighter information.	FRNSW's advice is noted and may be taken into consideration in any future modification of the City's Fire Safety Order.
6	The combined booster assembly incorporates two boost inlet connections, for a high and low stage pressure zones. Signage is to be installed at the booster assembly for each boost inlet connection which states, LOW RISE BOOSTER B?-L?? and HIGH RISE BOOSTER L?? – L?? to the requirements of Clause 7.10 of Australian Standard (AS) 2419.1-2005.	FRNSW's advice is noted and may be taken into consideration in any future modification of the City's Fire Safety Order.

Ref.	Issue	City response
7	The non-return valves on mist system, downstream of the sprinkler isolation valve within stairwell, were not orientated to prevent reverse flow of water contrary to the requirements of Clause 3.1 and Clause 3.3.6 of AS 4794-2001.	FRNSW's advice is noted and may be taken into consideration in any future modification of the City's Fire Safety Order.

6. FRNSW have made no direct recommendation within their report other than legislative notification.

Council Investigation Officer Recommendations

7. As a result of site inspections undertaken by the Council investigation officer:
- (a) It is recommended Council continue with its current compliance action, and consider advice of FRNSW in any future modification of the City's Fire Safety Order.
 - (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: FRN13/7270 - BFS24/3739 - 8000036292
TRIM Ref. No: D25/16147
Contact: Station Officer Kurt Ingle

12 March 2025

General Manager
City of Sydney
GPO Box 1591
SYDNEY NSW 2001

Email: council@cityofsydney.nsw.gov.au

Attention: Luke Jeffree

Dear General Manager

**RE: REQUEST FOR COMMENT
BERGER HOUSE
82-88 ELIZABETH STREET SYDNEY ("the premises")**

In reply to the Council's request for comment dated 20 March 2025, an inspection was conducted by officers of the Fire Safety Compliance Unit of FRNSW under the provisions of Section 9.32(2)(a) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) on 4 March 2025.

FRNSW notes the following documents associated with this request:

- Comment on an Occupied Building – 82-88 Elizabeth Street Sydney – City of Sydney Council – Ref FIRE/2014/44 – Luke Jeffree
- Fire Safety Order – 15 August 2017 – City of Sydney Council – Ref. S108492 & FIRE/2014/44 – Glen Camenzuli
- Modification of an Order – 18 August 2021 – City of Sydney Council – Ref. S108492 – Muhammad Hassan
- Fire Engineering Report – 30 January 2024 – Red Fire Engineers Pty Ltd – Report No. JN19-00065 Version 7

The following comments are for your information under Section 9.32(1)(b) of the EP&A Act.

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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COMMENTS

The following items were identified from the supplied documents and observations during the FRNSW inspection, dated 17 December 2024:

1. **Performance Solution 1** - An integrated hydrant mist system complying with Australian Standard (AS) 4587-1999.
 - 1A. FRNSW supports the integration of the Australian Standard (AS) 4587:1999 Water Mist Fire Protection System with the AS 2419:2005 Fire Hydrant Installation.

FRNSW noted that the Modification of an Order dated 18 August 2021 by City of Sydney Council includes M1.02 Installation of a water mist system.

"That a water mist system such as Tyco Aquamist ULF System, or equivalent shall be installed throughout the building."
2. **Performance Solution 5 Item (a)** - Protection of hydrant booster- Technical non-compliance as an integrated hydrant mist system does not qualify for the BCA exemption to not separate the hydrant booster in accordance with clause 7.3(c)(ii) and 7.3(d)(iii) of AS 2419.1:2005.
 - 2A. FRNSW supports the combined fire hydrant/mist booster assembly at the ground floor lobby.
3. **Performance Solution 5 Item (b)** - Location of hydrant mist pump room – Non-compliance with clause 6.4.2 of AS 2419.1-2005 as the pump room is to be located on the roof instead of being directly accessible from a fire-isolated stair due to existing space restraints.
 - 3A. FRNSW supports the combined fire hydrant/mist pump room located on the roof. FRNSW noted the installation of controls for the pumps and signage showing the location of the pump room at the FIP.
4. **Performance Solution 5 Item (c)** - Ground and basement are served by one hydrant only located within the only fire isolated stair on these levels. As such a technical noncompliance with clause 8.5.5(a) of AS 2419.1 occurs, which requires not less than 50% of hydrants protecting each fire compartment to be available in case of isolation.
 - 4A. In this instance, FRNSW supports only one internal fire hydrant within the fire isolated stairs on the ground and basement levels. FRNSW noted the size of the floor plate of the building and the location of the street fire hydrant as an alternative fire hydrant.

FRNSW Additional Comment

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5. The on-site water storage has an exhaustible supply, which will require firefighters to supplement the onsite water storage, by boosting the combined system. Signage at the FDCIE and booster assembly is to be installed for firefighter information. The signage is to state, *LIMITED WATER SUPPLY COMBINED SYSTEM MUST BE BOOSTED FOR ALL FIRE INCIDENTS*. See Figure 1.



Figure 1

6. The combined booster assembly incorporates two boost inlet connections, for a high and low stage pressure zones. Signage is to be installed at the booster assembly for each boost inlet connection which states, LOW RISE BOOSTER B??- L?? and HIGH RISE BOOSTER L?? – L?? to the requirements of Clause 7.10 of Australian Standard (AS) 2419.1-2005. See Figure 2.



Figure 2

7. The non-return valves on mist system, downstream of the sprinkler isolation valve within stairwell, were not orientated to prevent reverse flow of water contrary to the requirements of Clause 3.1 and Clause 3.3.6 of AS 4794-2001.

RECOMMENDATIONS

FRNSW recommends that:

1. Signage be installed at the Fire Detection and Control Indicating Equipment (FDCIE) and at the booster assembly, in a colour contrasting that of the

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background, a minimum size of A4, stating, *LIMITED WATER SUPPLY. COMBINED SYSTEM MUST BE BOOSTED FOR ALL FIRE INCIDENTS.*

2. Boost pressure signage is to be installed immediately behind each inlet connection in a colour contrasting that of the background, a minimum A4.
3. The installation of controls for the pumps and signage showing the location of the pump room at the FIP in accordance with the Fire Engineering Report.
4. The non-return valves within the stairwells for the mist system be re-configured to ensure the valves close under gravity with no water flow.

Please do not hesitate to contact Station Officer Kurt Ingle 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 FRN13/7270 - BFS24/3739 - 8000036292 regarding any correspondence concerning this matter.

Yours faithfully



Paul Scott
Team Leader
Fire Safety Compliance Unit