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Chief Executive Officer  
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Attention: Manager Compliance/Fire Safety

Dear Chief Executive Officer

**RE: INSPECTION REPORT  
'MERITON APARTMENTS'  
330 CHURCH STREET, PARRAMATTA NSW 2150 ("the premises")**

Fire and Rescue NSW (FRNSW) received correspondence on 21 September 2021, in relation to the adequacy of the provision for fire safety in or in connection with 'the premises'.

The correspondence stated that:

*A small fire occurred on the balcony of a unit on level 30 at approximately 21 September 2021, 14:49 hrs. The sprinkler activated and was able to extinguish the fire. However, the sprinkler stopped working after a short time and the alarm valve did not activate. FRNSW responded because of a triple zero call about flooding and not because of an automatic fire alarm. At the time of the event, there were no details on the fire indicator panel that a fire had occurred, or that a sprinkler had operated*

Pursuant to the provisions of Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 12 October 2021 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

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. 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.

## COMMENTS

Please be advised that this report is not an exhaustive list of non-compliances. The items in this report are limited to observations of the building accessed at the time of the inspection and identifies possible deviations from the National Construction Code 2019, Volume 1 Building Code of Australia (NCC). FRNSW acknowledges that the deviations may contradict development consent approval or relate to the building's age. It is therefore council's discretion as the appropriate regulatory authority to consider the most appropriate action.

The following items were identified as concerns during the inspection:

### 1. Generally

1A. Maintenance – Clause 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021) requires that an Essential Fire Safety Measure must be maintained to a standard no less than when it was first installed. The following was noted at the time of the inspection:

- A. The head service technician advised that the fault that was identified following the fire, was resolved. The following information was provided:
  - i. On the night of the incident, the handles on the mini ball valves have been removed from all Pressure Reduction Zones to prevent this happening again.
  - ii. After investigating all the Sprinkler Pressure Zones throughout the fire stairs, we located a small valve that had been closed on the main pressure valve, with this valve being closed it prevents the valve from operating and releasing water into the combined sprinkler/hydrant system for Zone 5.

- iii. The valve was re-opened and the system re-pressurized and we also simulated a fire alarm on Level 30 and the Sprinkler Flow Switch also now operates and calls the brigade.
  - iv. It should be noted that no further action was required by FRNSW, as the sprinkler system had been repaired to provide water to the sprinkler system and provide automatic notification to emergency services.
- B. Based on the service technicians assertions, the removal of the handles in item 1A(A)(i) may be considered building work despite the ability to provide water and automatic notification to emergency services. Council may need to conduct its own investigation for the following reasons:
- i. The removal of the handle makes it difficult to determine if the valve is open or closed. As such, it would be at council's discretion whether the removal of the handle is considered building work or still meets the requirements to maintain the essential fire safety measures in accordance with Clause 81 of EPAR 2021.
  - ii. It should be noted that Clause 3.4.1 of Australian Standard AS5081: AS 5081-2008 "Hydraulically operated automatic control valves for waterworks purposes", permits an isolation valve to be installed.
- C. There were no faults or isolations observed on the Fire Indicator Panel in relation to the essential fire safety measures installed to the building. However, the two service technicians at the time of the inspection indicated that the displayed faults were part of the building management system, and not part of the essential fire safety measures.
- 1B. Request to Obtain Information – Section 9.22 of the Environmental Planning and Assessment Act 1979 (EPA and Act) permits an authorised fire officer to require a person to provide information and records by notice in writing if it is in connection with an investigation, regardless of whether the power of entry was exercised. As a result, the following is provided as part of the investigation:
- A. Copies of the Annual Fire Safety Statement (AFSS) for "the premises" were provided for the last 2 years.
  - B. Details in writing were provided confirming that the display for the Fire Indicator Panel (FIP) and automatic smoke detection and alarm system that was integrated with a building management system (BMS) has now been made redundant.

- C. The seven (7) isolations observed on the FIP at the time was part of the BMS, which is why the displayed isolation are not showing on the Alarm Signalling Equipment (ASE) or mimic panels.
  - D. Details provided as outlined in item 1(1A)(A).
- 1C. Items for Further Investigation – An investigation may be required by council as the appropriate regulatory authority, to confirm that the maintenance of the essential fire safety systems meets the local council's obligations for an Annual Fire Safety Statement and development approval. Specifically, that the policy and procedures meet council's obligations to ensure the essential fire safety measures are maintained to a standard, no less than that to which the measure was originally designed and implemented.

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

## RECOMMENDATIONS

FRNSW recommends that Council inspect and address item no. 1 of this report and any other deficiencies identified on 'the premises'.

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 Edren Ravino of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS21/3397 (14800) for any future correspondence in relation to this matter.

Yours faithfully



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