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Contact: Stephan Netting

27 September 2022

General Manager
City of Parramatta Council
PO Box 32
PARRAMATTA NSW 2124

Email: council@cityofparramatta.nsw.gov.au

Attention: Manager Compliance / Fire Safety

Dear Sir / Madam

**RE: INSPECTION REPORT
41 CAMPBELL STREET
PARRAMATTA (“the premises”)**

Fire & Rescue NSW (FRNSW) responded to a fatal fire incident on 11 July 2022, at ‘the premises’ and as a result, a fire safety concern was lodged.

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 11 July 2022 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 however, the proceeding concerns also identifies deviations from the *National Construction Code 2019, Volume 1 Building Code of Australia, Amendment 1* (NCC). Given the concerns are based on observations available at the time FRNSW acknowledges that the deviations may contradict development consent approval. In this regard, it would be at council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

FRNSW noted the following during the investigation of this incident:

1. At the time of the fire, smoke alarms were not installed and where smoke alarms were installed, they were not operational in all residential units (sole occupancy units) of 'the premises' in accordance with the requirements of Section 96 of the *Environmental Planning and Assessment (Development, Certification and Fire Safety) Regulation 2021* (EP&A Reg) to ensure occupants were alerted to a fire within their unit so that they could evacuate safely.

At the time of FRNSW inspection of 'the premises', an electrician was on-site installing battery operated smoke alarms in the residential units (sole occupancy units) of 'the premises'.

2. An Annual Fire Safety Statement and Fire Safety Schedule were not displayed prominently in 'the premises' in accordance with the requirements of Section 89 of the EP&A Reg.
3. The entry doors to the residential units (sole occupancy units) of 'the premises', were damaged during the incident following search and rescue activities undertaken by fire-fighters. These doors appeared to be asbestos filled fire doors and therefore required replacement. Self-closing -/60/30 fire doors are required to be installed in accordance with requirements of Clause C3.11 of the NCC to ensure fire is restricted from spreading from within the residential units (sole occupancy units) to the common areas of 'the premises'.
4. Portable fire extinguishers were not installed in the common areas of 'the premises' in accordance with requirements of Clause E1.6 of the NCC and AS 2444 – 2001 to ensure occupants are able to undertake an initial attack on a fire.
5. An automatic smoke detection and alarm system was not installed in the common area of 'the premises' that operated a building occupant warning system in accordance with the requirements of Clause E2.2, Table E2.2a and Specification E2.2a of the NCC, to ensure that all occupants of 'the premises' were alerted to a fire in 'the premises' so that they could evacuate safely.

6. Emergency lighting was not installed in the common areas and exit stairs of 'the premises' in accordance with the requirements of Clause E4.2 of the NCC and AS 2293.1 – 2018, to ensure occupants are able evacuate safely.
7. Exit signage was not provided to the exits of 'the premises' in accordance with the requirements of Clause E4.7 of the NCC, to ensure the occupants are able to evacuate safely.

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

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Require working smoke alarms to be installed in all residential units (sole occupancy units) of 'the premises' in accordance with the requirements of Section 96 of the EP&A Reg.
- b. Require the submission of an Annual Fire Safety Statement and that the statement be prominently displayed in 'the premises' in accordance with the requirements of the EP&A Reg.
- c. Require the submission of certification confirming that the entry doors residential units (sole occupancy units) of 'the premises' are self-closing -/60/30 fire doors in accordance with the requirements of Clause C3.11 of the NCC. If these doors are not self-closing -/60/30 fire doors, it is recommended that council require the doors to be replaced with self-closing -/60/30 fire doors.
- d. Require portable fire extinguishers to be installed in 'the premises' in accordance with the requirements of Clause E1.6 of the NCC and AS 2444 – 2001.
- e. Require an automatic smoke detection and alarm system to be installed in the common area of 'the premises' that operates a building occupant warning system in accordance with the requirements of Clause E2.2, Table E2.2a and Specification E2.2a of the NCC.
- f. Require emergency lighting to be installed in the common areas and exit stairs of 'the premises' in accordance with the requirements of Clause E4.2 of the NCC and AS 2293.1 – 2018
- g. Require exit signage to be installed in the exits of 'the premises' in accordance with the requirements of Clause E4.7 of the NCC.

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 Stephan Netting of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference FRN22/2287 for any future correspondence in relation to this matter.

Yours faithfully



Stephan Netting
Manager Fire Safety Compliance
Fire Safety Compliance Unit

cc. Senior Constable Michael Faragalla
Parramatta Detectives
Parramatta Police Station
NSW Police Force

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