



File Ref. No: FRN23/3798 – BFS23/6912 (SRID 8000032257) - BFS24/3665 (SRID 800036222)  
TRIM Ref. No: D24/119616  
Contact: John Bruscano

29 November 2024

General Manager  
Randwick City Council  
Administration Building & Customer Service Centre  
30 Frances Street  
RANDWICK NSW 2031

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

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT  
256-274 ALISON ROAD, RANDWICK (“the premises”)  
(AKA 67-69 ST MARKS ROAD, RANDWICK)  
'CORYULE GARDENS'**

Fire and Rescue NSW (FRNSW) received correspondence on 25 November 2023 and 20 June 2024 concerning the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence on 25 November 2023 stated that:

- Randwick, Woollahra and City of Sydney Fire Stations attended these premises no fewer than 4 times today (25/11/2023) before 1400hrs as a result of an apparent fault in the Installed Fire System. The FIP indicated various activations on various Levels of the Fire Stairs (LH). These included Levels 13,10, 6 and 2 and several others. The Caretaker (John) was called by the Reporting Officer via mobile phone and alerted to the above situation. He assured me that the Fire Servicing Company contracted to service this building would be notified to attend and investigate/rectify immediately. I understand that he called the Servicing Coy. and a Tech. (Yuan) from Total Concept Electrical attended approx. 1515hrs to investigate. Yuan contacted me at approx. 1800hrs and stated that the premises had several issues apparently related to faulty wiring within the Installed System and that the company that he contracts to had recommended, back in February of 2023, new wiring and associated equipment be installed as A MATTER OF URGENCY. This, apparently, has not been started*

*for some reason. The result is that the Installed System is mostly Non-Operational and that the safety of the occupants, due to smoke or fire, CAN NOT be achieved and/or maintained. I would suggest that this be addressed, by the relevant Authorities', as a MATTER OF SEVERE and LIFE THREATENING URGENCY.*

The correspondence dated 20 June 2024 stated that:

- *AFA PANEL COMPLETE TECHNICAL BREAKDOWN, WESTBOURNE TOWER*

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 24 January 2024 with subsequent follow up inspections on 9 and 26 February 2024, 12 July 2024 (meeting on site with Council), 10 September 2024 (following the receipt of a second fire safety concern) and 21 November 2024 (meeting on site with Council).

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:

- A general overview of the buildings (known as 'Westbourne Tower', 'Northbourne Tower' and 'Eastbourne Tower') 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**

Please be advised that the items in this report are limited to observations of the building accessed during the inspection and identify possible nonconformities with the National Construction Code 2022, Volume 1 Building Code of Australia (NCC) and provisions for fire safety. The items are not an exhaustive list of non-compliances. FRNSW acknowledges that the differences observed at the time may contradict development consent approval or relate to the building's age. Therefore, it's the Council's discretion as the appropriate regulatory authority to consider the most appropriate action.

The following items were identified during the inspection on 24 February 2024:

1. Essential Fire Safety Measures
  - 1A. Fire Detection and Alarm System
    - A. The detection system did not appear to be capable of operating to the standard of performance from when it was first designed and installed, contrary to the requirements of Clause 81 of the

Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021). The following issues were identified as concerns at the time of inspection:

- i. Fire Brigade Panel (FBP) – The premises has three towers known as ‘Westbourne Tower’, ‘Eastbourne Tower’ and ‘Northbourne Tower’, each with their own FBP, all connected back to Fire Alarm Monitoring at the main FBP at ‘Westbourne Tower’. The FBP for each tower were displaying the following:
    - a. Westbourne Tower’:
      - 129x Sensor Faults
      - 2x Fire Loop Faults
      - 78x Sensor Isolates
      - 1x Sensor Alarm
      - 1x Sensor Pre-Alarm
    - b. ‘Northbourne Tower’:
      - 61x Sensor Faults
      - 3x Sensor Isolates
      - 2x Sensor Alarms
    - c. ‘Eastbourne Tower’:
      - 12x Sensor Faults
      - 1x Sensor Isolates
  - B. Some of the detectors throughout the public corridors of all buildings appeared to be thermal detectors in lieu of smoke detectors, contrary to the requirements of Part E2 and Specification 20 of the National Construction Code Volume One Building Code of Australia (NCC) and AS1670.1-2018.
  - C. A permanent, water and fade resistant zone block plan, depicting all the relevant information regarding the installation, was not securely mounted adjacent to the FBP at the FDCIE, contrary to the requirements of Clause 3.10 of AS1670.1-2018.
- 1B. Sound System and Intercom System for Emergency Purposes (SSISEP)
- A. The Emergency Control Panel associated with the SSISEP in ‘Westbourne Tower’ was displaying the following faults:
    - i. Amplifier/Speaker Fault - Level 8.
    - ii. Lift 1 and Lift 2 - Fault

1C. Fire Hydrant System

- A. The booster assembly is located in a cabinet with garden plantings directly in front of the doors. In this regard, the doors were difficult to open and the standing surface area directly in front of the connections is unstable and overgrown with vegetation, contrary to the requirements of Clause 7.3.3 of AS 2419.1-2021.
- B. The isolation valve at the fire hydrant booster located between the feed hydrants and boost inlets was not locked in the open position, contrary to the requirements of Clause 8.7.1 of AS 2419.1-2021.
- C. The fire hydrant block plan located at the fire hydrant booster incorporated an incorrect 'You Are Here' location, contrary to the requirements of Clause 11.5 of AS 2419.1-2021.
- D. The water storage tank for the fire hydrant system did not incorporate a tank contents indicator, contrary to the requirements of Clause 5.2.3 of AS 2419.1-2021.
- E. An above ground isolating valve within the LG level of the carpark was not secured in the open position, contrary to the requirements of Clause 9.3.2 of AS 2419.1-2021.
- F. A pressure gauge was not installed adjacent to the most hydraulically disadvantaged fire hydrant in the fire hydrant system, contrary to the requirements of Clause 11.4.2 of AS 2419.1-2021.

1D. Emergency lighting – It did not appear that emergency lighting was extended through all areas of the buildings, including but not limited to, all paths of travel to or within exits including public corridors, the fire isolated stairways and passageways, contrary to the requirements of Clause E4D2 of the NCC.

1E. Annual Fire Safety Statement (AFSS):

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

2. Generally

2A. Effective Height and Sprinklers – The 'Westbourne Tower' has an effective height of more than 25m and a fire sprinkler system is not provided throughout, contrary to the requirements of Clause E1D5 of the National Construction Code Volume 1 2022 (NCC). Reference is made to the FRNSW website for a FRNSW position statement on fire sprinkler system in existing buildings.

<https://www.fire.nsw.gov.au/page.php?id=9447&position=63>.

The following items were identified during the inspection on 10 September 2024:

3. Essential Fire Safety Measures

3A. Automatic Fire Detection and Alarm System / Sound System and Intercom System for Emergency Purposes (SSISEP):

- A. At the time of the inspection, technicians were on site installing a new automatic fire detection and alarm system throughout the building. As a result, the Fire Detection Control and Indicating Equipment (FDCIE) (FBP) indicated a total of 12 faults relating to the existing automatic detection and alarm system. The SSISEP was also noted as being isolated.

The on-site technician advised that temporary battery-operated smoke alarms had been installed throughout the common areas and in Sole-Occupancy Units (SOUs) to provide protection whilst the works were being completed. FRNSW were able to confirm that battery-operated smoke alarms appeared to have been installed throughout the common areas, however, access was not available to SOUs at the time of the inspection to confirm the installation of smoke alarms.

It is noted that a Fire Safety Order No. 1 has been issued by the Council dated 11 July 2024 requiring the installation of temporary smoke alarms throughout the common areas and SOUs whilst the upgrade of the automatic fire detection and alarm system / EWIS is completed.

4. Egress

- 4A. The stair landings to both exit stairs on level 17 were partially obstructed by stored objects, contrary to the requirements of Section 109 of the EPAR 2021.

**FIRE SAFETY ORDER NO. 1**

Authorised Fire Officers' of FRNSW issued an Order No. 1, dated 12 February 2024, under the provisions of Section 9.34 of the EP&A Act, in relation to item no. 1.1A.A and 1.1B of this report, to which FRNSW provided Council a copy on 13 February 2024 under Schedule 5, Part 6, Section 12 of the EP&A Act, a copy of the Order is attached for your information.

FRNSW conducted a re-inspection of the premises on 26 February 2024, and at the time found that the fire detection and alarm system and SSISEP was observed to be at level which FRNSW was satisfied with, with the remaining faults and isolations limited to non-critical areas of the buildings. FRNSW were however advised that the remaining issues to the detection system related to the wiring setup in the building and that an upgrade to the system was required. In this regard, it should be noted that the FRNSW Order does not cover an upgrade to the fire detection and alarm system.

FRNSW was also advised by representatives of the owners that they had engaged Valen Project Services and Philip Chun Building Compliance for fire safety works at the premises relating to the AFSS, which included a proposed upgrade of the fire detection system to be captured by a Complying Development Certificate (CDC).

## SITE MEETINGS

Council contacted FRNSW requesting attendance at a site meeting, which was held on 12 July 2024 with representatives from Jamesons Strata, Valen Projects and 2020 Fire, in relation to the detection system in the Westbourne Tower being offline and the issue of a Council Order.

FRNSW acknowledges that Council issued an Emergency Fire Safety Order dated 11 July 2024 to do, amongst other things, install battery-operated smoke alarms as a temporary measure which are to remain in place until the fire detection system and SSISEP is repaired or replaced, and full fire compliance is restored.

On the basis of Council's Order being issued, FRNSW advised Council (via email dated 17 July 2024) that FRNSW will revoke the FRNSW Order dated 12 February 2024.

In this regard, FRNSW's Order cannot be complied with, as the FRNSW Order does not cover an upgrade to the fire detection and alarm system, nor does FRNSW have the authority to issue an Order for such works. However, the Order remained open, to assist Council until such time that Council issues another Order to cover this or a possible CDC was issued for the works required to the upgrade of the detection system.

Another site meeting was held on 21 November 2024 with Council and representatives from Valen Project Services (also as the owners representative) and 2020 Fire. At the time, 2020 Fire advised:

- 'Westbourne Tower'
  - Fire detection system has been replaced. New FBP, wiring and detectors. SSISEP fully operational. ASE offline.
- 'Eastbourne Tower' and 'Northbourne Tower':
  - Fire detection system existing and operational in common areas. Smoke alarms throughout all SOUs. BOWS operational. ASE offline.

It is noted that the ASE was isolated at the time of the meeting on 21 November 2024. FRNSW gave a direction that the ASE is to be reinstated immediately and recommended that the owners representative liaise with Council to ensure a building management plan is established and adhered to, while any works to the fire detection, SSISEP or ASE are being completed.

## REVOCATION OF ORDER

FRNSW advises that the FRNSW Fire Safety Order No. 1 issued on the subject premises on 12 February 2024 has been revoked in accordance with Part 10, s.23 of the Environmental Planning and Assessment Act 1979. For your records, a copy of the Order 1, dated 12 February 2024, issued on 'the premises' under the provisions of Section 9.34 of the EP&A Act, is attached.

## 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".
- c. Require the owners to install an automatic fire sprinkler system throughout 'Westbourne Tower', complying with the requirements of Clause E1D5 and Specification 17 of the NCC, to address item no. 2 of this report.
- d. Require the re-connection of the ASE, immediately.
- e. Require a building management plan to be established to cover all current/temporary measures and related contingencies while any upgrade works as required are being completed.

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.

FRNSW will be available to provide any assistance to Council regarding this matter ongoing and requests that Council submit a Request for Comment on Occupied Building form (<https://www.fire.nsw.gov.au/page.php?id=9163>) for any future fire engineering report that may be submitted to Council in relation to this matter, and FRNSW will provide comment to assist Council in determining the matter.

Please do not hesitate to contact John Bruscano 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 FRN23/3798 – BFS23/6912 (SRID 8000032257) - BFS24/3665 (SRID 800036222) regarding any correspondence concerning this matter.

Yours faithfully

  
John Bruscano  
Senior Building Surveyor  
Fire Safety Compliance Unit

Attachment: [Appendix 1 – Fire Safety Order No. 1 dated 12/02/24]

Appendix 1 – Fire Safety Order No.1 dated 12/02/2024

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File Ref. No: BFS23/6912 (32257)  
TRIM Ref. No: D24/18354  
Contact: John Bruscano

12 February 2024

The Owners of Strata Plan No. 11378  
256-274 Alison Road  
RANDWICK NSW 2031

Dear Owners of Strata No. 11378

Re: **FIRE SAFETY ORDER – ORDER NO.1**  
**256-274 ALISON ROAD, RANDWICK (“the premises”)**  
**(AKA 67-69 ST MARKS ROAD, RANDWICK)**

Fire & Rescue NSW (FRNSW) has received your email dated 1 February 2024, emails from Valen Project Services (Valen) dated 9 February 2024, as well as numerous telephone conversations with both Strata and Valen in response to the Notice of Intention to give a Proposed Fire Safety Order – Order No.1 dated 24 January 2024.

FRNSW has determined to issue the **Fire Safety Order – Order No.1** ('Order No.1'), in response to your representations, re-inspection on 9 February 2024 and consideration given under the provisions of Schedule 5, Part 7 (Section 14 and Section 15) of the *Environmental Planning & Assessment Act 1979* (EP&A Act). Accordingly, I have attached a copy of the FRNSW "Order No. 1" dated 12 February 2024, issued under Section 9.34 of the EP&A Act.

A copy of the "Order No.1" will be forwarded to Randwick City Council, under Schedule 5, Part 6, Section 12 of the EP&A Act. Authorised Fire Officers will conduct inspections to assess compliance with the "Order No.1".

Please do not hesitate to contact John Bruscano of FRNSW's Fire Safety Compliance Unit at [FireSafety@fire.nsw.gov.au](mailto:FireSafety@fire.nsw.gov.au) or call on (02) 9742 7434 if there are any questions or concerns about the above matters. Please ensure that you refer to file reference BFS23/6912 (32257) regarding any correspondence concerning this matter.

Yours faithfully,

John Bruscano  
Senior Building Surveyor  
Fire Safety Compliance Unit

CC Michael Longhurst  
Strata Manager  
Jamesons Strata Management  
[MichaelB@jamesons.com.au](mailto:MichaelB@jamesons.com.au)

Jamesons Strata Management  
[info@jamesons.com.au](mailto:info@jamesons.com.au)

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 Fire Safety Compliance Unit	1 Amarina Ave Greenacre NSW 2190	T (02) 9742 7434 F (02) 9742 7843
<a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a>		Page 1 of 4

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# Fire Safety Order

## ORDER No. 1

*Under the Environmental Planning and Assessment Act 1979 (EP&A Act)  
Part 9 Implementation and Enforcement – Division 9.3 Development Control Orders  
Fire Safety Orders in accordance with the table to Part 2 - Schedule 5.  
Give an Order in accordance with Section 9.34(1)(b)*

I, **John Bruscano** **Senior Building Surveyor** **902873**  
(name) (rank) (number)

being an authorised Fire Officer within the meaning of Schedule 5, Part 8, Section 16 of the *Environmental Planning and Assessment Act 1979*, and duly authorised for the purpose, hereby order you

**The Owners of Strata Plan No. 11378** **Owner**  
(name of the person whom Order is served) (position, i.e. owner, building manager)

with respect to the premise

**256-274 ALISON ROAD, RANDWICK (“the premises”)**  
**(AKA – 67-69 ST MARKS ROAD, RANDWICK)**  
(name/address of premises to which Order is served)

**to do, or refrain from doing, the following things:**

1. Ensure the Automatic Fire Detection and Alarm Systems installed in ‘the premises’ is fully operational, by:
  - a. Repairing all faults and isolations displayed on the Fire Indicator Panels (FIPs) installed in ‘Westbourne Tower’, ‘Eastbourne Tower’ and ‘Northbourne Tower’.
2. Ensure the Sound System & Intercom System for Emergency Purposes installed in ‘Westbourne Tower’ is fully operational, by:
  - a. Repairing all Amplifier/Speaker Faults displayed on the Emergency Control Panel.

Fire and Rescue NSW	ABN 12 503 473 110	<a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a>
Community Safety Directorate Fire Safety Compliance Unit	1 Amarina Ave Greenacre NSW 2190	T (02) 9742 7434 F (02) 9742 7843
<a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a>		Page 2 of 4

**The reasons for the issue of this Fire Safety Order - Order No.1 are:**

- a. At the time of the inspection, on 24 January 2024, the FIPs associated with the Automatic Fire Detection and Alarm System for all three (3) towers at 'the premises' were displaying multiple faults and isolations.
- b. At the time of the inspection, on 9 February 2024, the FIP associated with the Automatic Fire Detection and Alarm System was displaying the following:
  - i. 'Westbourne' Tower:
    - 129x Sensor Faults
    - 2x Fire Loop Faults
    - 78x Sensor Isolates
    - 1x Sensor Alarm
    - 1x Sensor Pre-Alarm
  - ii. 'Northbourne' Tower:
    - 61x Sensor Faults
    - 3x Sensor Isolates
    - 2x Sensor Alarms
  - iii. 'Eastbourne Tower':
    - 12x Sensor Faults
    - 1x Sensor Isolates
- c. At the time of the inspection, on 9 February 2024, the Emergency Control Panel associated with the Sound System & Intercom System for Emergency Purposes in 'Westbourne Tower' was displaying the following:
  - i. Amplifier/Speaker Fault - Level 8.
  - ii. Lift 1 and Lift 2 - Fault
- d. To ensure that the Automatic Fire Detection and Alarm Systems are capable of operating in accordance with the standard of performance it was designed and installed to.
- e. To ensure that Automatic Fire Detection and Alarm Systems are fully operational, so that the occupants are provided with early notification of a fire within 'the premises' so that they may safely evacuate 'the premises' in the event of a fire.
- f. To ensure that the Sound System & Intercom System for Emergency Purposes in 'Westbourne Tower' is capable of operating in accordance with the standard of performance it was designed and installed to.
- g. To ensure compliance with the requirements with Section 81 and 109 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
- h. To do or refrain from doing such things specified in the Order to ensure or promote adequate fire safety or awareness.

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**The terms of this Fire Safety Order - Order No.1 are to be complied with:**

By no later than **12:00pm** on the **26 February 2024**.

**Appeals**

Pursuant to Section 8.18 of the Environmental Planning & Assessment Act 1979 (EP&A Act), there is no right of appeal to the Court against this Fire Safety Order - Order No.1 other than an order that prevents a person from using or entering premises.

**Non-Compliance with Fire Safety Order – Order No.1**

Failure to comply with this Fire Safety Order - Order No.1 may result in further Orders and/or fines being issued.

Substantial penalties may also be imposed under Section 9.37 of the EP&A Act for failure to comply with a Fire Safety Order - Order No.1.



John Bruscano  
Senior Building Surveyor  
Fire Safety Compliance Unit

This Fire Safety Order - **Order No. 1** was mailed on **12 February 2024**.