

**From:** Fire Safety  
**Sent:** 17 Oct 2018 14:19:26 +1100  
**To:** Corporate Email  
**Subject:** Letter Out - Inspection Report - Zen - 13 Murphys Road Kingscliff - Tweed Shire Council  
**Attachments:** Letter Out - Inspection Report - Zen - 13 Murphys Road Kingscliff - Tweed Shire Council.pdf

Attn: **Manager Compliance / Fire Safety**

Please find attached correspondence in regards to the above premises.

If you have any further queries regarding this matter, please contact the Fire Safety Branch on 9742 7434 quoting your reference number.



### Administration Officer

FIRE SAFETY ADMINISTRATION UNIT  
COMMUNITY SAFETY DIRECTORATE  
T: 02 9742 7434 [LinkedIn](#)  
E: [firesafety@fire.nsw.gov.au](mailto:firesafety@fire.nsw.gov.au)  
1 Amarina Ave, Greenacre, NSW 2190  
Locked Mail Bag 12, Greenacre, NSW 2190  
[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)



---

#### FRNSW CONFIDENTIALITY NOTICE AND DISCLAIMER

The information in this transmission may be confidential and/or protected by legal professional privilege, and is intended only for the person or persons to whom it is addressed. If you are not the intended recipient of this message you must not read, forward, print, copy, disclose, use or store in any way the information in this e-mail or any attachment it may contain. Please notify the sender immediately and delete or destroy all copies of this e-mail and any attachment it may contain.

---

#### FRNSW CONFIDENTIALITY NOTICE AND DISCLAIMER

The information in this transmission may be confidential and/or protected by legal professional privilege, and is intended only for the person or persons to whom it is addressed. If you are not the intended recipient of this message you must not read, forward, print, copy, disclose, use or store in any way the information in this e-mail or any attachment it may contain. Please notify the sender immediately and delete or destroy all copies of this e-mail and any attachment it may contain.

Views expressed in the message are those of the individual sender, and are not necessarily the views of Fire & Rescue NSW. Use of electronic mail is subject to FRNSW policy and guidelines. FRNSW reserves the right to filter, inspect, copy, store and disclose the contents of electronic mail messages, as authorised by law.

This message has been scanned for viruses.

---



File Ref. No: BFS18/1919 (4120)  
TRIM Ref. No: D18/73353  
Contact: Mark Knowles

17 October 2018

General Manager  
Tweed Shire Council  
PO Box 816  
MURWILLUMBAH NSW 2484

Email: [tsc@tweed.nsw.gov.au](mailto:tsc@tweed.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT  
"ZEN APARTMENTS"  
13 MURPHYS ROAD, KINGSCLIFF ("the premises")**

Pursuant to the provisions of Section 119T (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 8 February 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

Please be advised that the inspection for 'the premises' was conducted prior to the amendments of the *Environmental Planning and Assessment Act 1979* (EP&A Act) on 1 March 2018. As such, all references to the relevant sections in this report are provided prior to the amendments of the EP&A Act.

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.

FIRE AND RESCUE NSW

ABN 12 593 473 110

[www.fire.nsw.gov.au](http://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

[firesafety@fire.nsw.gov.au](mailto:firesafety@fire.nsw.gov.au)

Unclassified

Page 1 of 3



On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 119T (4) and Section 121ZD (1) of the EP&A Act. Please be advised that Section 121ZD (2) of the EP&A Act requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

## COMMENTS

The following items were identified as concerns at the time of inspection:

### 1. Essential Fire Safety Measures

1A. Fire Hydrant System – The following comments are provided having regard to Australian Standard (AS) 2419.1.2005:

- a) Storz couplings, compatible with FRNSW firefighting hose connections were not provided to all fire hydrant valves throughout the premises, contrary to the requirements of Clauses 3.1 and 8.5.11.1 of AS2419.1–2005, Clauses 1.2 and 3.4 of AS 2419.2–2009 and 'FRNSW Fire Safety Guideline, Technical information – FRNSW Compatible hose connections – Document no. D15/45534 – Version 07 – Issued 12 June 2018'.
- b) The booster cabinet – The right-hand-side door of the booster cabinet was partially obstructed by vegetation resulting in the door being unable to open fully, therefore hindering accessibility and hose connection for the attending fire-fighters, contrary to the requirements of Clause 3.5 of AS 2419.1-2005.
- c) It appears that a double valve attack hydrant is located within the booster assembly cabinet, however:
  - i. The attack hydrant has not been identified to differentiate it from the feed hydrant which is associated with the booster assembly.
  - ii. The outlets appear to be more than 1200mm above the ground in front of the hydrant, contrary to the requirements of Clause 3.5 of AS 2419.1-2005.
  - iii. Clearances of 100mm around the valve handwheel and 300mm through an arc of 225° around the outlet to facilitate hose coupling is not achieved, contrary to the requirements of Clause 3.5.2 of AS 2419.1-2005.

1B. Exit signs – The exit signs in the basement level was not illuminated and had not maintained, contrary to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

1C. Annual Fire Safety Statement (AFSS) – A copy of the current AFSS was not prominently displayed within the building in accordance with Clause 177 of the EP&A Regulation.

## 2. Compartmentation and Separation

2A. Fire separation – The separation between the carpark and the residential lobby on the ground floor consisted partly of glass which would not achieve the required fire resistance level, contrary to the requirements of Specification C1.1, Clause C2.7 and Clause C3.5 of the National Construction Code Volume One Building Code of Australia (NCC).

## RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 through to item no. 2 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Section 121ZD (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 BFS18/1919 (4120) for any future correspondence in relation to this matter.

Yours faithfully



Mark Knowles  
Building Surveyor  
Fire Safety Compliance Unit