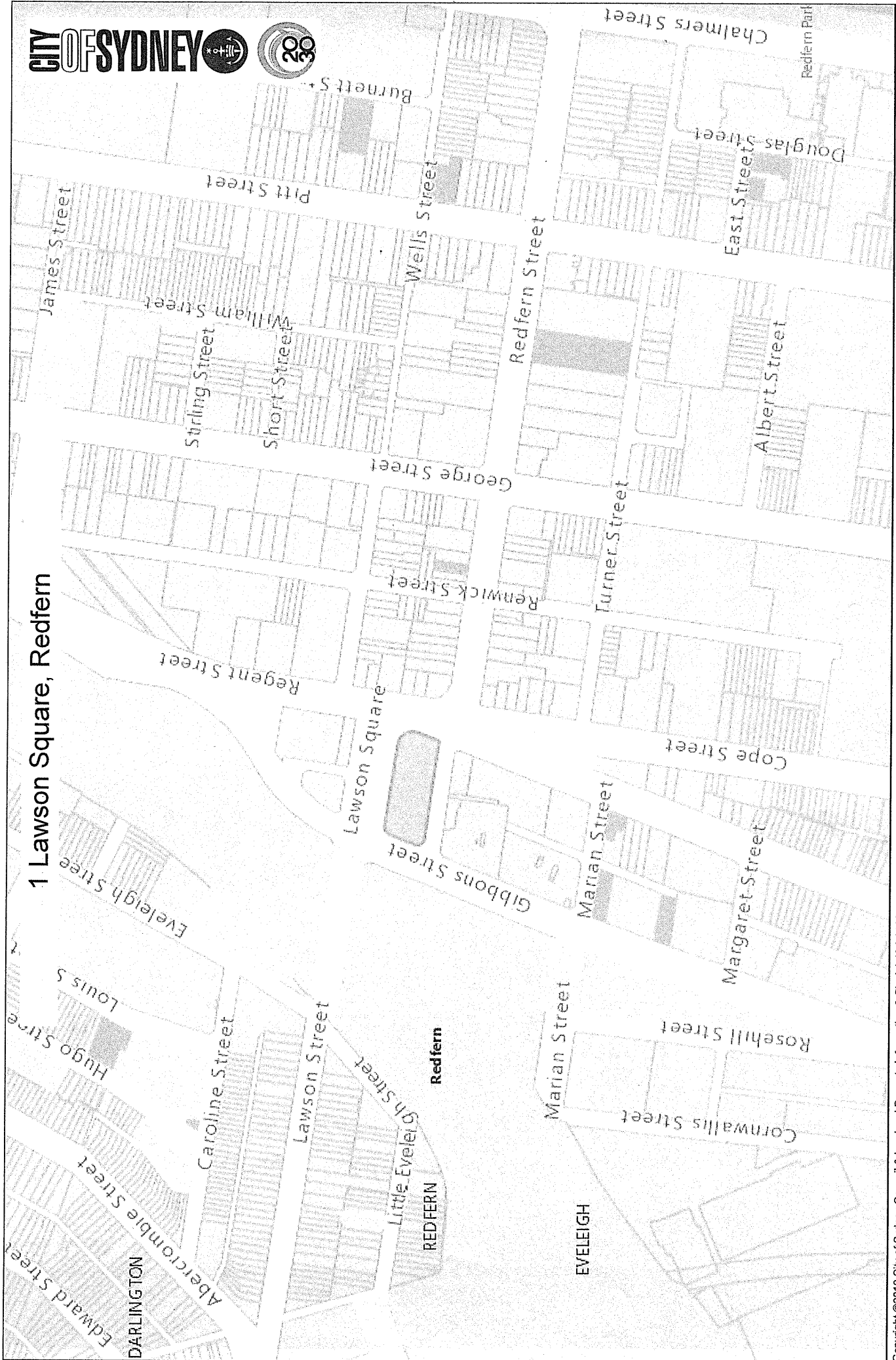


Attachment C

**Council Officer Inspection Report,
1 Lawson Square, Redfern**

1 Lawson Square, Redfern



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 20/03/2018



**Council investigation officer Inspection and Recommendation Report
Cause 17 (2) Schedule 5, of the Environmental Planning and Assessment Act 1979
(the Act)**

File: CSM 1861146

Officer: Ashley Host

Date: 9 April 2018

Premises: 1 Lawson Square, Redfern – Tower 2 (formerly known as 'TNT Building – 3Tower 2)

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises with respect to matters of fire safety.

The premises consists of a twelve (12) storey office building. The existing twelve storey building is being refurbished under an approval from the NSW Department of Planning and Environment (18 December 2014) for "additions and alterations to the two existing 12 storey office towers to create an 18 storey mixed use development comprising:

- Retail and commercial uses at the ground floor of both towers and at levels 1-5 of the western tower
- 156 residential units
- Basement car and bicycle parking; and
- Public domain works

The premises are, at present, a construction site and the building is not occupied. A Private Certifying Authority has been appointed to oversee the site and construction.

An inspection of the premises undertaken by a Council investigation officer in the presence of the building construction Project Manager revealed that there were no significant fire safety issues occurring within the building.

The premises are equipped with active fire safety systems consisting of an operational fire hydrant system extending to each floor and portable fire extinguishers that would provide adequate provision for fire safety for occupants in the event of a fire.

The annual fire safety certification requirements are not applicable at this time as the site is under construction.

Chronology:

Date	Event
06/03/2018	FRNSW correspondence received regarding premises located at 1 Lawson Square, Redfern
20/03/2018	An inspection of the subject premises was undertaken by a Council Officer in attendance with the site Project Manager.
9/04/2018	Council officers issue a compliance letter of instruction to site building management

FIRE AND RESCUE NSW REPORT:

References: BFS18/243, D18/12151, 2018/103204

Fire and Rescue NSW conducted an inspection of the subject premises in relation to a fire incident (25/01/2018), as a result a fire safety concern was lodged.

Issues

The report from FRNSW details the following issues with reference to the building located at 1 Lawson Square, Redfern:

1. The hydrant system had been partially installed as part of the building work that is occurring at 'the premises'. There were additional interim fire safety measures such as portable fire extinguishers.
2. Since the fire, the builder had taken steps to ensure the building was safe during construction, however, had not completed all the interim fire safety measures.
3. After contacting the certifier for the development, an email was sent on 19 February 2018 requesting assistance liaising with the builder, to ensure the intent of Clause E1.9 of the National Construction Code 2016 Volume 1, Building Code of Australia (NCC) is satisfied during construction.
4. FRNSW has since received an e-mail on 20 February 2018 from both the certifier and the builder, outlining that the intent of E1.9 of the NCC has been satisfied.

FRNSW Recommendations

FRNSW have recommended that Council use its discretion as the regulatory authority and to monitor the interim fire safety measures to ensure they are being maintained during construction, and inspect and/or address any other deficiencies identified on 'the premises'.

COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:

Issue Order(NOI)	Issue emergency Order	compliance letter of instruction issued	Cited Matters rectified	Undertake compliance action in response to issued Council correspondence	Continue with compliance actions under the current Council Order	Other (to specify)
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Inspections undertaken by a Council investigation officer in company with the Project Manager overseeing construction of the premises revealed that the above recommendations of FRNSW have been complied with.

The owners of the building have been issued with written instructions to bring to their attention the legal responsibilities required to ensure that proper fire safety maintenance and management practices are in place at all times during construction.

The above correspondence has instructed the building owners and site building management to have regard to ensuring clause E1.9 of the National Construction Code 2016, Volume 1, Building Code of Australia, Amendment 1 (NCC) is complied with whilst the building is under construction .

It is recommended that Council not exercise its powers to give a fire safety order under Part 2 of Schedule 5 of the Environmental Planning and Assessment Act, 1979 at this time.

That the Commissioner of FRNSW be advised of Council's actions and outcomes

Referenced documents:

No#	Document type	Trim reference
A1.	Locality Plan	2018/126285-01
A2	Attachment cover sheet	2018/126285-02
A3	Fire and Rescue NSW report	2018/126285-03

Trim Reference: 2018/126285

CSM reference No#: CSM 1861146



File Ref. No: BFS18/243 (8000002604)
TRIM Ref. No: D18/12151
Contact: [REDACTED]

6 March 2018

General Manager
City of Sydney Council
GPO Box 1591
SYDNEY NSW 2001

Email: council@cityofsydney.nsw.gov.au

Attention: Manager Compliance / Fire Safety

Dear General Manager

**RE: INSPECTION REPORT
BUILDING FORMERLY KNOWN AS "TNT BUILDING" TOWER 2
1 LAWSON SQUARE / GIBBONS STREET REDFERN ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence on 25 January 2018, in relation to a fire incident at 'the premises', 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 13 February 2018 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.

Unclassified

Fire & Rescue NSW

ABN 12 593 473 110

www.fire.nsw.gov.au

Community Safety Directorate
Fire Safety Compliance Unit

Locked Bag 12
Greenacre NSW 2190

T (02) 9742 7434
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firesafety@fire.nsw.gov.au

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Comments

Date / Time of Fire: 25 January 2018; 17:32 hrs

Type of Alarm: Automatic Fire Alarm

Casualties: No casualties

FRNSW noted the following during the investigation of this incident:

1. At the time of the inspection on 13 February 2018 the following was observed:
 - a. The hydrant system had partially been installed as part of the building work that is occurring at 'the premises'. There were additional interim fire safety measures such as portable fire extinguishers.
 - b. Since the fire, the builder had taken steps to ensure the building was safe during construction, however, had not completed all the interim fire safety measures.
2. After contacting the certifier for the development, an e-mail was sent on 19 February 2018 requesting assistance liaising with the builder, to ensure the intent of Clause E1.9 of the National Construction Code 2016 Volume 1, Building Code of Australia (NCC) is satisfied during construction.
3. FRNSW has since received an e-mail on 20 February 2018 from both the certifier and the builder, outlining that the intent of E1.9 of the NCC has been satisfied.

RECOMMENDATIONS

As a result of the fire incident at 'the premises', FRNSW recommends that Council use its discretion as the appropriate regulatory authority to monitor the interim fire safety measures. The reason for monitoring the development is to ensure the interim fire safety measures are being maintained during construction, and inspect and/or address 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.

Unclassified

Fire & Rescue NSW

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Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS18/243 (8000002604) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]
Building Surveyor
Fire Safety Compliance Unit

