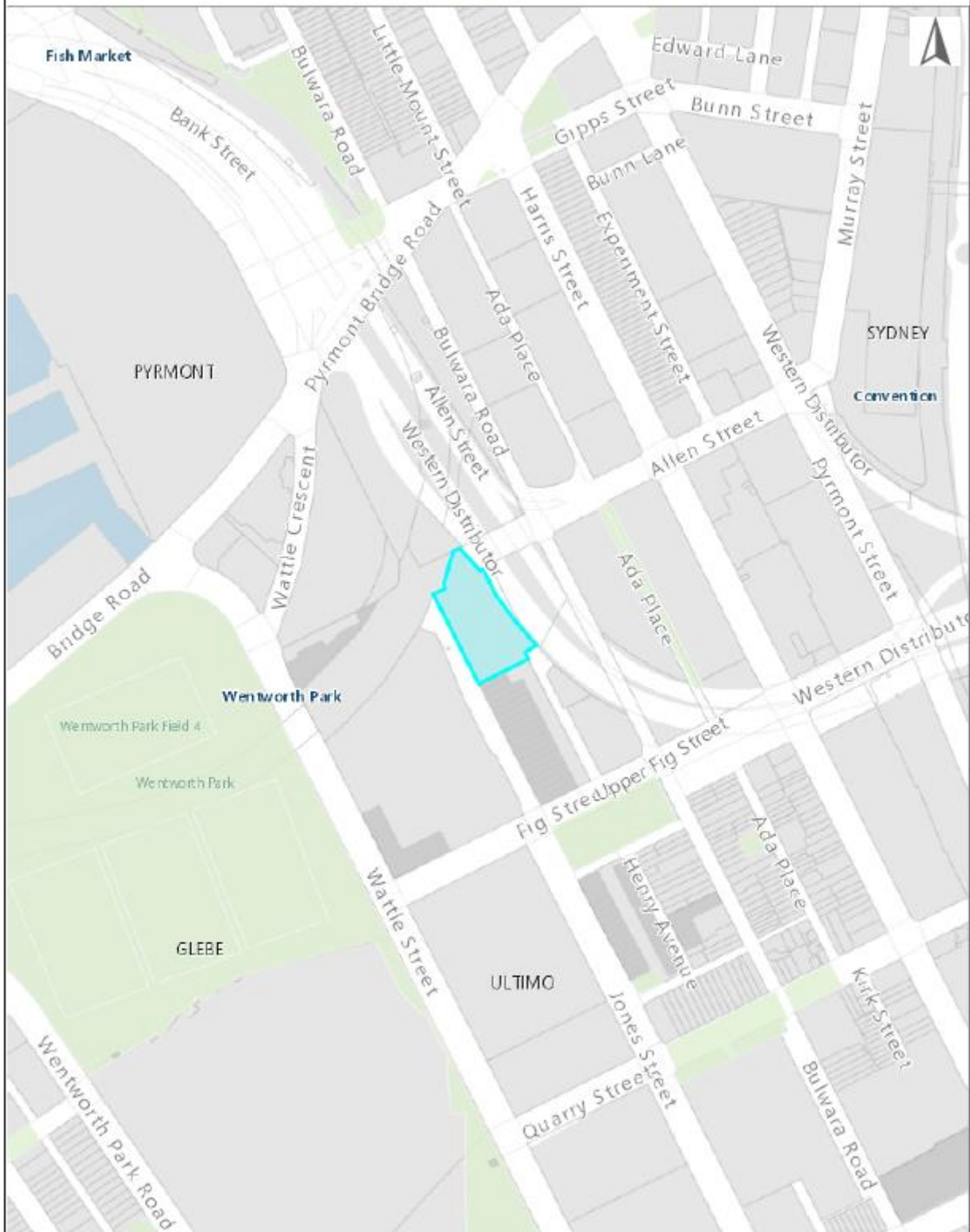


Attachment D

**Inspection Report
280 Jones Street, Pymont**

280 Jones Street, Pyrmont



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Notes

25/08/2022

**Council investigation officer Inspection and Recommendation Report
Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment
Act 1979 (the Act)**

File: CSM 2832095

Officer: T McCann

Date: 06 September 2022

Premises: 280 Jones Street, Pyrmont

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) on 10 August 2022 in relation to the premises 280 Jones Street, Pyrmont with respect to matters of fire safety.

FRNSW's inspection resulted from the 'Project Remediate' program being undertaken by the NSW Department of Customer Service. This is a voluntary funding program to help remove combustible cladding on residential apartment buildings throughout NSW.

The premises consists of a twelve (12) storey building, used primarily for residential apartments (known as Harbour Mill), The building contains three levels below ground of ancillary carparking.

The subject premises is fitted with external combustible cladding. A Fire Safety Order requiring cladding removal and replacement has been issued. Appropriate precautionary interim fire safety measures are currently in place to assist in safeguarding occupants whilst cladding removal and replacement works are scheduled. The interim measures include raising site cladding risk awareness with all building occupants; the removal of potential fire hazards/processes from critical potential fire start areas; the introduction of site management procedure plans and temporary rules to carefully manage hot/building maintenance works and the implementation of any expert recommendations.

An inspection of the premises undertaken by a Council Investigation Officer in the presence of the building manager revealed that there were no significant fire safety issues occurring within the building.

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire.

Council investigations have revealed that whilst there remains several fire safety "maintenance and management" works to attend to, along with the cladding replacement procedures in progress, the overall fire safety systems provided within the subject premises are considered adequate in the circumstances.

It is considered that the above fire safety works are of a degree which can be addressed by routine preventative and corrective maintenance actions undertaken by the owner's fire service contractor(s) through written instruction from Council.

Chronology:

Date	Event
11/08/2022	FRNSW correspondence received regarding premises "Harbour Mill", 280 Jones Street, Pyrmont. The correspondence was initiated by the Project Remediate program and a FRNSW inspection on 25 July 2022.
15/08/2022	A review of City records show the fire safety schedule for the premises contains twenty-six (26) fire safety measures, including an automatic fire detection system, automatic fire suppression (sprinkler) system, fire engineering reports, and other fire safety measures typical for a building of this classification all of which were due for recertification on 03 August 2022.
25/08/2022	An inspection of the subject premises was undertaken by a Council officer with the building manager present on 25 August 2022, noting the following: <ol style="list-style-type: none"> 1. The Fire Hose Reel cupboards on the residential levels were being used for storage of goods or rubbish – to be attended to and removed by Building Management. 2. The Fire Stair next to entrance contained rubbish – to be attended to and removed by Building Management. 3. The self-closing mechanism installed to the doors of garbage room one were disabled and the doors to garbage room two & three did not have self-closing mechanism installed as required; <p>Issues specifically raised by FRNSW and responses to those issues, are summarised in the following table.</p>
30/08/2022	Corrective action letter issued (reference 2022/422174-02).

FIRE AND RESCUE NSW REPORT:

References: BFS22/2071 (21122); D22/65492

Fire and Rescue NSW conducted an inspection of the subject premises after becoming aware of cladding through the Government's Project Remediate.

Issues

The report from FRNSW detailed a number of issues, in particular noting:

Ref.	Issue	City response
1A	The Fire Indicator Panel was displaying (x2) zones in fault.	During Councils inspection it was noted that the faults as documented by FRNSW have been resolved. However, the panel was now showing two different faults, this was conveyed to the building manager and the matter was addressed within twenty-four hours.
1B	Fire Fan Control Panel (FFCP) - The FFCP was displaying one (x1) fault,	During Councils inspection it was noted that the previously faults as documented by FRNSW, have been resolved.
1CA	Additional hydrants have been installed throughout the premises to provide additional coverage, however, there is no signage to alert FRNSW to their location.	To be addressed by the corrective action letter issued.
1CB	i. A complete stock of spare sprinklers and a spanner had not been provided at the sprinkler control valves, contrary to the requirements of Clause 6.7 of AS 2118.1-1999.	To be addressed by the corrective action letter issued.

Ref.	Issue	City response
	ii. The latest entry in maintenance logbook for the sprinkler system, dated 7 July 2022, noted 'Level 7 & 8 Flow Switch tested – starts pumps but does not send flow switch into alarm'. It is unclear whether the issue was restored.	
ID	Multiple FHR's throughout the basement levels were not wound back correctly and the nozzle was detached from the hose guide and nozzle interlocking devices.	To be addressed by the corrective action letter issued.
1E	The smoke doors in the ground floor lobby, adjacent to Unit G13, had not been maintained in accordance with the requirements of Clause 81 of the EPAR 2021. In this regard, the smoke doors which are held in the open position with electromagnetic hold open devices, failed to return to the fully closed position, when tested, contrary to the requirements of Specification C2.5 and Specification C3.4 of the NCC.	To be addressed by the corrective action letter issued.
1F	A copy of the current AFSS and FSS were not prominently displayed within the building in accordance with Clause 89 of the EPAR 2021.	To be addressed by the corrective action letter issued.
2A	There appears to be inadequate fire stopping of the garbage rooms located in the lower ground floor carpark.	To be addressed by the corrective action letter issued.
2B	There is an insufficient number of exit and directional exit signs within areas of the carpark.	To be addressed by the corrective action letter issued.

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

FRNSW Recommendations

FRNSW have made recommendations within their report.

FRNSW have made seven (7) recommendations within their report. In general, FRNSW have requested that Council:

- a. Inspect and address item no. 1 of this report
- b. Give consideration to the other deficiencies identified on the premises identified in item no. 2 of this report

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 *Environmental Planning and Assessment Act 1979*.

COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS

Issue Order (NOI)	Issue emergency Order	Issue a compliance letter of instruction	Cited Matters rectified	Continue to undertake compliance action in response to issued Council correspondence	Continue with compliance actions under the current Council Order	Other (to specify)

As a result of a site inspection undertaken by Council's investigation Officer it was determined to issue the owners of the building a compliance letter of instruction to rectify the identified fire safety deficiencies noted by Council and FRNSW.

The above correspondence has requested that the Owners Corporation engage an accredited practitioner - fire safety to carry out remedial works to existing fire systems to cause compliance with required Standards of Performance.

Follow-up compliance inspections are currently being undertaken and will continue to be undertaken by a Council investigation officer to ensure already identified fire safety matters are suitably addressed and that compliance with the terms of Councils correspondence and the recommendations of FRNSW occur.

It is recommended that Council not exercise its powers to give a Fire Safety Order at this time.

Referenced/Attached Documents:

2022/422174	Fire & Rescue NSW letter dated 10 August 2022
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Trim Reference: 2022/422174 -01

CSM reference No: 2832095

Unclassified



File Ref. No: BFS22/2071 (21122)
TRIM Ref. No: D22/65492
Contact: [REDACTED]

10 August 2022

General Manager
City of Sydney
GPO Box 1591
SYDNEY NSW 2001

Email: council@cityofsydney.nsw.gov.au

Attention: Manager Compliance / Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT
'HARBOUR MILL'
280 JONES STREET, PYRMONT ("the premises")**

In response to the Project Remediate programme being undertaken by the NSW Department of Customer Service, to remove high-risk combustible cladding on residential apartment buildings in NSW, an inspection of 'the premises' on 25 July 2022 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW), pursuant to the provisions of Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

In this instance, the inspection revealed fire safety concerns that may require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

In this regard, 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.

Fire and Rescue NSW	ABN 12 593 473 110	www.fire.nsw.gov.au
Community Safety Directorate	1 Amarina Ave	T (02) 9742 7434
Fire Safety Compliance Unit	Greenacre NSW 2190	F (02) 9742 7483

www.fire.nsw.gov.au Page 1 of 6

Unclassified

COMMENTS

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items outline concerns in general terms, deviations from the fire safety provisions prescribed in Section 9.32(1)(b) of the EP&A Act and Clause 112 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021).

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

1. Essential Fire Safety Measures

1A. The Automatic Fire Detection and Alarm 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 EPAR 2021. The following issues were identified as concerns at the time of inspection:

- A. Fire Indicator Panel (FIP) - The FIP was displaying two (x2) zones in fault, identified as:
- i. Zone 4 Duct Probe
 - ii. Zone 5 LG Outside Sth Fire Stair

The Strata Manager was advised of the faults following the inspection, and FRNSW were advised that the issues would be investigated and resolved in a timely manner.

FRNSW received email correspondence from the Strata Manager on 8 August 2022, advising that the fire maintenance company had attend site on 5 August 2022. A copy of the 'Statement of Works' was provided which indicated the following actions had been taken:

- *7 zones in fault when arriving onsite. All detection and modules from ground down to b2 on loop 1 were in missing fault when arriving onsite. Isolators had kicked in making this lower section of loop 1 go offline. Disconnected and reconnected loop wiring at different points to reset isolators. This got all devices back online except for L1D58 which is still missing. Voltage present but head is still missing - replacement detector and base required.*
- *The technician will be returning to site Thursday 11th August 2022 (mid-morning) to replace one smoke detector and base which will complete the final matter.*

Notwithstanding this, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.

1B. The Mechanical Air Handling 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 EPAR 2021. The following issues were identified as concerns at the time of inspection:

A. Fire Fan Control Panel (FFCP) - The FFCP was displaying one (x1) fault, identified as:

i. Lobby Supply Fan 5 – 'running/fault'

The Strata Manager was advised of the fault following the inspection, and FRNSW were advised that the issues would be investigated and resolved in a timely manner.

FRNSW received email correspondence from the Strata Manager on 8 August 2022, advising that the fire maintenance company had attend site on 5 August 2022. A copy of the 'Statement of Works' was provided which indicated the following actions had been taken:

- *SAF duct probe 10.5 is still missing. This has been reported previously as needing to be replaced - duct probe housing and smoke detector required.*
- *The technician will be returning to site Thursday 11th August 2022 (mid-morning) to finalise the matter.*

Notwithstanding this, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.

1C. Combined Fire Hydrant and Sprinkler System:

A. Fire hydrant system:

i. Additional hydrants have been installed throughout 'the premises' to achieve system coverage, however additional provisions have not been made to suit the operational requirements of FRNSW, contrary to the requirements of Clause 3.2.3.3 of AS 2419.1-2005. In this regard, the following was identified at the time of the inspection:

- a. An additional hydrant valve has been installed in the ground floor lobby (adjacent to Unit G12), however the hydrant is located in an obscured location. FRNSW would benefit from additional signage at the building's entry point so that its location is readily identified.
- b. An additional hydrant valve has been installed outside the fire stairs in the carpark on the lower ground floor

level, to provide coverage to the south-eastern corner of the building, however fire-fighters would be unaware of the existence of the additional hydrant.

- c. Additional hydrants have been installed outside the fire stairs in the 'Southern Void' on Levels 1 to 3 (at the rear of the fire-isolated stairway) to provide coverage to the units in the south-western corner of the building, however fire-fighters would be unaware of the existence of the additional hydrants.

FRNSW would benefit from floor plan signage being placed adjacent to the hydrant valves within the fire stairs, detailing the location of the additional hydrants.

- ii. Coverage – It appears there is a shortfall in hydrant coverage to the north-eastern parts of the carpark on the lower ground floor level. In this regard, compliant hose lay coverage of 30m hose lay plus 10m hose spray, does not appear to be provided from the installed hydrants, contrary to the requirements of Clause 3.2.3 of AS2419.1-2005.

B. Sprinkler System:

- i. A complete stock of spare sprinklers and a spanner had not been provided at the sprinkler control valves, contrary to the requirements of Clause 6.7 of AS 2118.1-1999.
- ii. The latest entry in maintenance logbook for the sprinkler system, dated 7 July 2022, noted '*Level 7 & 8 Flow Switch tested – starts pumps but does not send flow switch into alarm*'. It is unclear whether the issue was restored.

1D. Fire Hose Reels (FHR's):

- A. Multiple FHR's throughout the basement levels were not wound back correctly and the nozzle was detached from the hose guide and nozzle interlocking devices.

1E. Smoke Doors:

- A. The smoke doors in the ground floor lobby, adjacent to Unit G13, had not been maintained in accordance with the requirements of Clause 81 of the EPAR 2021. In this regard, the smoke doors which are held in the open position with electromagnetic hold open devices, failed to return to the fully closed position, when tested, contrary to the requirements of Specification C2.5 and Specification C3.4 of the NCC.

1F. Annual Fire Safety Statement (AFSS) and Fire Safety Schedule (FSS):

- A. A copy of the current AFSS and FSS were not prominently displayed within the building in accordance with Clause 89 of the EPAR 2021.

FRNSW is therefore of the opinion that the fire safety provisions prescribed for the purposes of 9.32(1)(b) of the EP&A Act, have not been complied with.

ADDITIONAL COMMENTS

In addition to the items identified above, relating to the Fire Safety Provisions prescribed by Clause 112 of the EPAR 2021, the following items were also identified as concerns at the time of the inspection and it would be at council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

2. Generally:

2A. Fire Resistance

- A. Enclosure of shafts - The garbage rooms located on the lower ground floor carpark level, which forms the bottom of the garbage chute shaft from the residential levels, did not appear to be adequately fire separated from the remainder of the storey, contrary to the requirements of Part 2.7 of Specification C1.1 of the NCC. In this regard, garbage rooms 2 & 3 in basement level 1 were not fitted with self-closing fire rated doors and hydraulic/mechanical services which penetrates the fire rated walls, did not appear to be adequately fire stopped (i.e. fire dampers and fire collars).

2B. Services and Equipment

- A. Exit signs and directional exit signs - It was evident that there were areas/parts within the carpark levels, where the direction to the required exit was not readily apparent. Additional directional exit signs may be required throughout the carpark levels, such that an exit sign or directional exit sign is clearly visible from all parts, in accordance with Clause E4.5 and NSW E4.6 of the NCC.

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address item no. 1 of this report.
- b. Give consideration to the other deficiencies identified on 'the premises' identified in item no. 2 of this report.

Unclassified

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 [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) [REDACTED]. Please ensure that you refer to file reference BFS22/2071 (21122) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

Fire Safety Compliance Unit