

Attachment D

**Inspection Report -
2 York Street, Sydney**

2 York Street, Sydney



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Notes

7/1/2024

1:845

**City of Sydney 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 3247663

Officer: T McCann

Date: 07 November 2024

Premises: 2 York Street, Sydney

Executive Summary:

The City of Sydney received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) on 29 October 2024. The correspondence was 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, which involved FRNSW undertaking an inspection of the premises on 04 September 2024.

The premises consists of a twenty-one (21) storey building, used primarily for residential accommodation purposes. The building is located on York Street and is bounded by Margaret and Jaimeson Street.

An inspection of the premises was conducted on 5 November 2024 by a City investigation officer and revealed there were no significant fire safety issues occurring within the premises.

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. During a review of the City's records, it was identified that a current fire safety order has been issued on the premises in November 2022 by the City and it should be noted that the correspondence received from FRNSW does not have any impact on the current terms of the existing fire safety order. The fire safety order relates to the non-compliance of the automatic vehicle parking system and the provision of a final fire safety certificate confirming compliance of the existing fire safety measures installed within the premises.

Observation of the external features of the building noted the existence of potential combustible composite cladding on the façade of the building. This is currently being managed by the City's specialist Cladding team. The building owners are the process of having the combustible cladding removed and replaced.

Chronology

| Date | Event |
|------------|---|
| 29/10/2024 | FRNSW correspondence was received by the City identifying a number of fire safety maintenance issues. |
| 01/11/2024 | A review of the City records was undertaken which identified that a fire safety order issued in 2022 is currently being managed by a fire safety officer. |
| 05/11/2024 | An inspection of the premises was undertaken by a City investigation officer and revealed the premises existing fire safety measures are being adequately maintained and no further deficiencies, other than those being addressed by the fire safety order, exist, that would warrant further action to be undertaken by The City. |

Fire and Rescue NSW report

Fire and Rescue NSW conducted an inspection of the subject premises on 4 September 2024 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.

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

| Ref. | Issues identified | City response |
|--|---|--|
| 1. Essential Fire Safety Measures | | |
| 1A The Automatic Fire Detection and Alarm System | | |
| A | The Fire Indicator Panel (FIP) was displaying (x1) 'Fault' identified as Zone 19 - Stair Pressure Fan SPF1/2 | On the day of the inspection undertaken by the City, the panel was clear of faults and was operational. No further action required. |
| 1B The Combined Fire Hydrant and Sprinkler System | | |
| A | <p>Maintenance</p> <p>i. The latest entry in Automatic Fire Sprinkler Systems maintenance logbook, dated 24 July 2024, stated "<i>Pressure Switch for Church System 4 Reqd – Pressure Type System Sensor</i>".</p> <p>ii. The latest entry in Fire Pumpsets (Diesel) maintenance logbook, dated 24 July 2024, stated "<i>Manual start not working – 4x100 A/h Batt Reqd</i>".</p> | The maintenance logbooks for the Automatic Fire Sprinkler Systems and the Fire Hydrant Pumpset (Diesel) had updated entries confirming that previous defects noted were resolved on 31 October 2024. No further action required. |
| 2 Inspection Outcome | | |
| 2A | <p>The Building Manager was advised of issues identified in Items 1A and 1B above at the time of the inspection.</p> <p>FRNSW was advised by the Building Manager that he was aware of the issues and the fire contractor was in the process of rectifying the faults/defects as part of the AFSS process.</p> | <p>Noted.</p> <p>Following the City's inspection, it has been determined that no further investigation is required and that the premises will continue to be compliance managed under the existing fire safety order.</p> |

| Ref. | Issues identified | City response |
|------|---|---------------|
| | Notwithstanding this, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance. | |

FRNSW recommendations

The officer of Fire & Rescue NSW recommended that the City conduct an inspection of the premises, and address any deficiencies identified at the premises.

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 the City correspondence | Continue with compliance actions under the current Fire Safety Order | Other (to specify) |
|-------------------|-----------------------|--|-------------------------|--|--|--------------------|
| | | | | | | |

As a result of a site inspection undertaken by a City's investigation officer and based on the premise having adequate provisions of fire safety and egress, it is recommended that the City continue with the compliance actions under the existing fire safety order.

That the Commissioner of FRNSW be advised of the City's actions and determination.

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File Ref. No: FRN17/489 - BFS22/3684 - 8000022689
TRIM Ref. No: D24/115847
Contact: Mark Knowles

28 October 2024

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
'PORTICO APARTMENTS'
2 YORK STREET, SYDNEY ("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 4 September 2024 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).

On behalf of the Commissioner of FRNSW, the comments in this report are provided under Section 9.32(4). The items listed in the comments of this report are based on the following limitations:

- Those parts of the building where access could be gained, which included the fire control room, the sprinkler valve room, the combined fire hydrant and sprinkler booster assembly and the pumproom.
- A general overview of the building was obtained without using the development consent conditions or approved floor plans as 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.

| | | |
|------------------------------|--------------------|--|
| 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

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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 was observed at the time of the inspection:

1. Essential Fire Safety Measures
 - 1A. The Automatic Fire Detection and Alarm System:
 - A. The Fire Indicator Panel (FIP) was displaying:
 - i. One (x1) 'Fault' identified as:
 - o Zone 19 - Stair Pressure Fan SPF1/2
 - 1B. The Combined Fire Hydrant and Sprinkler System:
 - A. Maintenance:
 - i. The latest entry in Automatic Fire Sprinkler Systems maintenance logbook, dated 24 July 2024, stated "*Pressure Switch for Church System 4 Req'd – Pressure Type System Sensor*".
 - ii. The latest entry in Fire Pumpsets (Diesel) maintenance logbook, dated 24 July 2024, stated "*Manual start not working – 4x100 A/h Batt Req'd*".
2. Inspection Outcome:
 - 2A. The Building Manager was advised of issues identified in Items 1A and 1B above at the time of the inspection.

FRNSW was advised by the Building Manager that he was aware of the issues and the fire contractor was in the process of rectifying the faults/defects as part of the AFSS process.

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

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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 FRN17/489 - BFS22/3684 - 8000022689 for any future correspondence in relation to this matter.

Yours faithfully



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

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