

Attachment C

**Inspection Report
352 Sussex Street, Sydney**



Figure 1: 352 Sussex Street, Sydney, viewed from the west



Figure 2: Location map of 352 Sussex Street, Sydney

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)

Officer: Tracey McCann

Date: 8 May 2025

Premises: 352 Sussex Street, Sydney

Executive Summary

1. The City of Sydney (the City) received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises dated 1 May 2025 with respect to matters of fire safety.
2. The premises consists of a twenty-eight (28) storey building used for the purposes of hotel and residential accommodation.
3. The City inspected the premises on 8 May 2025, accompanied by the building manager. This inspection identified fire safety provisions requiring maintenance, which can be addressed under the City's instruction.

Chronology

Date	Event
1 May 2025	FRNSW correspondence received
8 May 2025	<p>The City inspected the premises where the following issues, in addition to those raised by FRNSW, were identified.</p> <ul style="list-style-type: none"> • The electrical distribution cupboard on ground floor is storing miscellaneous items belonging to the cleaner and need to be removed. • Multiple penetrations throughout the building have not been adequately fire-stopped. • The building manager's office on level 9 and the storage room on level 8 (hotel) do not have a smoke detector installed and there appears to be issues with access to and compliance of existing fire dampers. • A security camera installed within the fire stair at roof level needs to be removed as it is not permitted within fire isolated stair. • Faults also noted on the EWIS panel indicating issues on level 17 and level 21. • Fire rated doors serving garbage room within car park have been damaged and need replacing. • The construction surrounding the garbage room has been damaged, leaving gaps which can lead to the spread of fire and needs to be repaired.
23 May 2025	A corrective action letter was issued requiring works to be completed in three stages. Stage 1 is due 6 June 2025; stage 2 is due 22 June 2025 and stage 3 due to be completed by 20 September 2025.
24 June 2026	City of Sydney agreed to a requested extension of time. Stage 1 is now due to be completed by 18 July 2025 with stage 2 due to be completed by 3 August 2025.
29 July 2025	The City received confirmation on 29 July 2025 advising that most items outlined in Stages 1 and 2 of the corrective action letter had been completed. In consideration of the minor outstanding items, the City has granted a further extension, with completion now due by 9 September 2025.

Fire and Rescue NSW Report

4. Fire and Rescue NSW conducted an inspection of the subject premises on 23 April 2025.

Issues

5. The report from Fire and Rescue NSW detailed issues as shown in the table below.

Ref.	Issue	City response
1	Essential Fire Safety Measures	
1A	Combined Sprinkler and Hydrant System	
A	<p>Past building codes permitted the use of an internal booster connection for portable relay pumps, which no longer suits the operational needs of FRNSW.</p> <p>The sprinkler system throughout the building appears to be a combination of AS 2118.1 and AS 2118.6. FRNSW are unable to determine the year of the standard of performance.</p>	<p>The City's inspection on 8 May 2025 could not confirm the level of compliance of the existing combined sprinkler and hydrant system.</p> <p>A corrective action letter was issued on 23 May 2025 seeking the engagement of a hydraulic consultant to complete an assessment of the existing fire hydrant system and existing sprinkler system with recommendation to address the comments raised by Fire and Rescue NSW (FRNSW).</p> <p>This is due to be submitted by 9 September 2025. Once received, the City may issue a Notice of Intention to give a Fire Safety Order (NOI) to address this issue.</p>
B	Block Plan	
i	Taking into account head pressure, and that the maximum discharge pressure at any hydrant outlet under design flow conditions shall not exceed 1200 kPa at the most advantaged hydrant, FRNSW are of the opinion that:	
a	The boost pressure displayed at the fire hydrant booster cabinet of 1000kPa for the Low-Pressure Zone will exceed the maximum required pressure in Lower Basement Levels.	<p>The City's inspection on 8 May 2025 found inconsistencies regarding boost pressure on the block plan.</p> <p>A corrective action letter was issued on 23 May 2025 seeking the engagement of a hydraulic</p>

Ref.	Issue	City response
		<p>consultant to complete an assessment of the existing fire hydrant system with recommendation to address the comments raised by FRNSW.</p> <p>This is due to be submitted by 9 September 2025. Once received, the City may issue an NOI to address this issue.</p>
b	The boost pressure displayed at the fire hydrant booster cabinet of 1500kPa for the High-Pressure Zone will exceed the maximum required pressure on the lower levels.	<p>The City's inspection on 8 May 2025 found inconsistencies regarding boost pressure displayed on the booster cabinet.</p> <p>A corrective action letter was issued on 23 May 2025 seeking the engagement of a hydraulic consultant to complete an assessment of the existing fire hydrant system with recommendation to address the comments raised by FRNSW.</p> <p>This is due to be submitted by 9 September 2025. Once received, the City may issue an NOI to address this issue.</p>
ii	The ring main for the High-Pressure zone is over 70m in height. In high-rise installations, pressure zone limitations operated by the fire brigade allow a maximum of 50m for any pressure zone.	<p>The City's inspection on 8 May 2025 found that pressure zone limitations may be exceeded.</p> <p>A corrective action letter was issued on 23 May 2025 seeking the engagement of a hydraulic consultant to complete an assessment of the existing fire hydrant system with recommendation to address the comments raised by FRNSW.</p> <p>This is due to be submitted by 9 September 2025. Once received, the City may issue an NOI to address this issue.</p>
iii	An internal booster is installed on Level 9, requiring a portable pump set to achieve	The City's inspection on 8 May 2025 identified an internal booster

Ref.	Issue	City response
	operational pressures throughout the building.	<p>is needed to achieve operational pressures in the building.</p> <p>A corrective action letter was issued on 23 May 2025 seeking the engagement of a hydraulic consultant to complete an assessment of the existing fire hydrant system with recommendation to address the comments raised by FRNSW.</p> <p>This is due to be submitted by 9 September 2025. Once received, the City may issue an NOI to address this issue.</p>
iv	<p>The combined hydrant and sprinkler booster was not marked with the words 'COMBINED HYDRANT AND SPRINKLER BOOSTER'. Due to the combined booster assembly being behind the roller door, FRNSW also recommend signage outside the roller door identifying the location of the combined booster assembly.</p>	<p>The City's inspection on 8 May 2025 found booster signage was inadequate.</p> <p>A corrective action letter was issued on 23 May 2025 seeking action to address the comments raised by FRNSW by 9 September 2025.</p> <p>An inspection will be undertaken to confirm the work has been completed, addressing this issue.</p>
v	<p>The combined booster assembly was not provided with a fade resistant engraved sign stating the 'WORKING PRESSURE' and 'SYSTEM TESTED to' in kPa.</p>	<p>The City's inspection on 8 May 2025 found booster signage was inadequate.</p> <p>A corrective action letter was issued on 23 May 2025 seeking action to address the comments raised by FRNSW by 9 September 2025.</p> <p>An inspection will be undertaken to confirm the work has been completed, addressing this issue.</p>
vi	<p>FRNSW are of the opinion that the High-Pressure combined booster assembly is connected in-series with the fixed on-site pump. In this regard, warning signage and a 150mm diameter liquid filled pressure gauge which indicates the pressure at the pump</p>	<p>The City's inspection on 8 May 2025 found that further assessment of the combined booster assembly was required to determine compliance.</p> <p>A corrective action letter was issued on 23 May 2025 seeking action to</p>

Ref.	Issue	City response
	discharge pipe/manifold is not installed at the booster assembly.	address the comments raised by FRNSW by 9 September 2025. An inspection will be undertaken to confirm the work has been completed, addressing this issue.
vii	The pressure gauge on the suction side of the sprinkler/hydrant pump for the high-pressure zone on Ground Level is showing 0kPa. FRNSW cannot determine if the gauge is not operating correctly or if there is no water flow to the pump.	The City's inspection on 8 May 2025 found work is required to confirm the pressure gauge is operating correctly. A corrective action letter was issued on 23 May 2025 seeking action to address the comments raised by FRNSW by 9 September 2025. An inspection will be undertaken to confirm the work has been completed, addressing this issue.
viii	The electric fire pump on Level B8 was missing a pressure gauge on the suction side of the pump.	The City's inspection on 8 May 2025 identified a missing pressure gauge on the fire pump. A corrective action letter was been issued on 23 May 2025 seeking action to address the comments raised by FRNSW by 9 September 2025. An inspection will be undertaken to confirm the work has been completed, addressing this issue.
1B	Fire Hose Reels	
A	Multiple fire hose reels were not capable of immediate use as the nozzles were not stowed in the interlock device.	The City's inspection on 8 May 2025 identified hose reels were not stowed with an interlock device. A corrective action letter was issued on 23 May 2025 seeking action to address the comments raised by FRNSW by 18 July 2025. On 29 July 2025, the City received confirmation that the required works had been completed.

Ref.	Issue	City response
		An inspection has been scheduled for 12 September 2025 to verify the completion of all Stage 1 and Stage 2 works, addressing this issue.
B	The fire hose reel on level B1 carpark had access obstructed by temporary fencing and stored items.	The City's inspection on 8 May 2025 found that the fire hose reel on level B1 had been rectified prior to the inspection, addressing this issue.
1C.	Smoke Detection and Alarm System (SDAS)	
A.	The Fire Detection and Control Indicating Equipment (FDCIE) had an indicator light ON for a common isolate. It appeared to relate to "HP Electric Pump Tamper". FRNSW are of the opinion maintenance is not being carried out.	<p>The City's inspection on 8 May 2025 confirmed further maintenance is required for the FDCIE.</p> <p>A corrective action letter was issued on 23 May 2025 seeking action to address the comments raised by FRNSW by 18 July 2025.</p> <p>On 29 July 2025, the City received confirmation that the required works had been completed.</p> <p>An inspection has been scheduled for 12 September 2025 to verify the completion of all Stage 1 and Stage 2 works, addressing this issue.</p>
1D.	Access and Egress	
A.	The path of travel to an exit in a fire isolated corridor from the fire control room was partially blocked by stored items.	<p>The City's inspection on 8 May 2025 identified path of travel were partially blocked.</p> <p>A corrective action letter was issued on 23 May 2025 seeking action to address the comments raised by FRNSW by 18 July 2025.</p> <p>On 29 July 2025, the City received confirmation that the required works had been completed.</p> <p>An inspection has been scheduled for 12 September 2025 to verify the</p>

Ref.	Issue	City response
		completion of all Stage 1 and Stage 2 works, addressing this issue.
B.	The directional exit sign near car space No. 470 did not appear to be maintained, as it was not illuminated.	<p>The City's inspection on 8 May 2025 identified unilluminated, non-compliant exit signage.</p> <p>A corrective action letter was issued on 23 May 2025 seeking action to address the comments raised by FRNSW by 18 July 2025.</p> <p>On 29 July 2025, the City received confirmation that the required works had been completed.</p> <p>An inspection has been scheduled for 12 September 2025 to verify the completion of all Stage 1 and Stage 2 works, addressing this issue.</p>
C.	Both exit doors from within the plant room on level 28 have not been provided with exit signs.	<p>The City's inspection on 8 May 2025 identified exit signage missing within the plant room.</p> <p>A corrective action letter was issued on 23 May 2025 seeking action to address the comments raised by FRNSW by 18 July 2025.</p> <p>On 29 July 2025, the City received confirmation that the required works had been completed.</p> <p>An inspection has been scheduled for 12 September 2025 to verify the completion of all Stage 1 and Stage 2 works, addressing this issue.</p>
2.	Compartmentation and Separation	
A.	FRNSW are of the opinion that the sliding fire door between the premises carpark and the carpark of No. 545 Kent Street is inoperable. The rail for the sliding fire door has been damaged by impact and it visually appears the sliding fire door will not be able to return to the closed position.	<p>The City's inspection on 8 May 2025 found the sliding fire door was damaged.</p> <p>A corrective action letter was issued on 23 May 2025 seeking action to address the comments raised by FRNSW by 18 July 2025.</p>

Ref.	Issue	City response
	i. There is no “warning – sliding fire door” on the Kent Street side of the sliding fire door.	<p>On 29 July 2025, the City was advised that the works remain in progress. Accordingly, an extension has been granted, with completion now due 9 September 2025.</p> <p>An inspection has been scheduled for 12 September 2025 to verify the completion of all Stage 1 and Stage 2 works, addressing this issue.</p>
B.	The fire door near car space No. 470 failed to return to the fully closed position.	<p>The City’s inspection on 8 May 2025 found the fire door failed to return to the fully closed position.</p> <p>A corrective action letter was issued on 23 May 2025 seeking action to address the comments raised by FRNSW 18 July 2025.</p> <p>On 29 July 2025, the City received confirmation that the required works had been completed.</p> <p>An inspection has been scheduled for 12 September 2025 to verify the completion of all Stage 1 and Stage 2 works, addressing this issue.</p>
C.	<p>The door and door frame exiting the fire control room had fire door tags from different suppliers on the door and door frame. As the tags are from different suppliers, FRNSW is of the opinion it has not been assessed as a door set.</p> <p>i. The same fire door had a door chock holding it in the open position, preventing the door from self-closing.</p>	<p>The City’s inspection on 8 May 2025 found the fire control room door may not have been assessed as a door set.</p> <p>A corrective action letter was issued on 23 May 2025 seeking action to address the comments raised by FRNSW by 18 July 2025.</p> <p>On 29 July 2025, the City received confirmation that the required works had been completed.</p> <p>An inspection has been scheduled for 12 September 2025 to verify the completion of all Stage 1 and Stage 2 works, addressing this issue.</p>

6. FRNSW have recommended that the City inspect the subject premises and appropriately address noted (and other) deficiencies identified within their report.

Council Investigation Officer Recommendations

7. As a result of site inspections undertaken by the Council investigation officer a corrective action letter was issued on 23 May 2025 to the building owners to address the fire safety deficiencies identified by the City and FRNSW.
8. Following the submission of the requested assessment reports, Council may exercise its powers to issue a Notice of Intention (NOI) for a fire safety order under the Act to address the identified fire safety deficiencies.
9. After the NOI's representation period expires and any received representations are considered, a fire safety order may be issued to ensure that appropriate fire safety systems are in place throughout the building, providing improved and adequate fire safety provisions.
10. It is recommended that the Commissioner of FRNSW be informed of the City's decision.

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File Ref. No: FRN25/930 - BFS25/1739 - 8000041440
TRIM Ref. No: D25/46270
Contact: Station Officer Kurt Ingle

30 April 2025

General Manager
City of Sydney
GPO Box 1591
SYDNEY NSW 2001

Email: council@cityofsydney.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT
LANDMARK APARTMENTS
348-352 SUSSEX STREET SYDNEY ("the premises")**

Fire and Rescue NSW (FRNSW) received correspondence on 7 March 2025 concerning the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- Rubbish wood/plastic containers/gas bottles. Too much stuff is left in the carpark have informed the building manager with no luck. Some residents even using blow touch on regular occasion. Strata law does not allow us to put anything in car spaces. Very bad situation I dont know how they pass the fire safety test for the property.*

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 23 April 2025.

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 building was obtained without using the development consent conditions or approved floor plans as a reference.

Fire and Rescue NSW

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Community Safety Directorate
Fire Safety Compliance Unit

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- 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

The following items were identified during the inspection:

1. Essential Fire Safety Measures

1A. Combined Sprinkler and Hydrant System

- A. Ordinance 70 and Australian Standard (AS) 2419.1-1994 permitted the use of an internal booster connection for portable relay pumps to be installed in buildings above 75 metres or as required by the regulatory authority, to provide a pressurised water source for firefighting operations on the upper levels of the building. In this regard, the use of portable relay pumps, no longer suits the operational needs of FRNSW.

The sprinkler system throughout the building appears to be a combination of AS 2118.1 and AS 2118.6. FRNSW are unable to determine the year of the standard of performance.

- B. The following was observed based on the combined system block plan.

- i. Taking into account head pressure, and that the maximum discharge pressure at any hydrant outlet under design flow conditions shall not exceed 1200 kPa at the most advantaged hydrant, FRNSW are of the opinion that:
 - a. The boost pressure displayed at the fire hydrant booster cabinet of 1000kPa for the Low-Pressure Zone will exceed the maximum required pressure in Lower Basement Levels.
 - b. The boost pressure displayed at the fire hydrant booster cabinet of 1500kPa for the High-Pressure Zone will exceed the maximum required pressure on the lower levels.
- ii. The ring main for the High-Pressure zone is over 70m in height. In high-rise installations, pressure zone limitations operated by the fire brigade allow a maximum of 50m for any pressure zone.
- iii. An internal booster is installed on Level 9, requiring a portable pumpset to achieve operational pressures throughout the building.

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- iv. The combined hydrant and sprinkler booster was not marked with the words 'COMBINED HYDRANT AND SPRINKLER BOOSTER'. Due to the combined booster assembly being behind the roller door, FRNSW also recommend signage outside the roller door identifying the location of the combined booster assembly.
- v. The combined booster assembly was not provided with a fade resistant engraved sign stating the 'WORKING PRESSURE' and 'SYSTEM TESTED to' in kPa.
- vi. FRNSW are of the opinion that the High-Pressure combined booster assembly is connected in-series with the fixed on-site pump. In this regard, warning signage and a 150mm diameter liquid filled pressure gauge which indicates the pressure at the pump discharge pipe/manifold is not installed at the booster assembly.
- vii. The pressure gauge on the suction side of the sprinkler/hydrant pump for the high-pressure zone on Ground Level is showing 0kPa. FRNSW cannot determine if the gauge is not operating correctly or if there is no water flow to the pump.
- viii. The electric fire pump on Level B8 was missing a pressure gauge on the suction side of the pump.

1B. Fire Hose Reels

- A. Multiple fire hose reels were not capable of immediate use as the nozzles were not stowed in the interlock device contrary to the requirements of Clause 2.2.7.2 of AS 1221-1997.
- B. The fire hose reel on level B1 carpark had access obstructed by temporary fencing and stored items contrary to the requirements of Clause 10.1 of AS 2441-2005.

1C. Smoke Detection and Alarm System (SDAS)

- A. The Fire Detection and Control Indicating Equipment (FDCIE) had an indicator light ON for a common isolate. It appeared to relate to "HP Electric Pump Tamper". FRNSW are of the opinion maintenance is not being carried out in accordance with Section 81 of Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR21).

1D. Access and Egress

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- A. The path of travel to an exit in a fire isolated corridor from the fire control room was partially blocked by stored items contrary to the requirements of Section 109 of EPAR21.
- B. The directional exit sign near car space No. 470 did not appear to be maintained, as it was not illuminated contrary to Section 81 of EPAR 21.
- C. Both exit doors from within the plant room on level 28 have not been provided with exit signs contrary to the requirements of Clause E4D5 of the National Construction Code 2022, Volume 1 Building Code of Australia (NCC).

2. Compartmentation and Separation

- A. FRNSW are of the opinion that the sliding fire door between the premises carpark and the carpark of No. 545 Kent Street is inoperable, contrary to the requirements of Clause C4D7 of the NCC. The rail for the sliding fire door has been damaged by impact and it visually appears the sliding fire door will not be able to return to the closed position.
 - i. There is no “warning – sliding fire door” on the Kent Street side of the sliding fire door, contrary to the requirements of Clause C4D7 of the NCC.
- B. The fire door near car space No. 470 failed to return to the fully closed position contrary to the requirements of Clause C4D9 of the NCC 2022.
- C. The door and door frame exiting the fire control room had fire door tags from different suppliers on the door and door frame. As the tags are from different suppliers, FRNSW is of the opinion it has not been assessed as a door set in accordance with Clause 6.1 AS 1905.1-2015.
 - i. The same fire door had a door chock holding it in the open position, preventing the door from self-closing contrary to the requirements of Clause C4D6 of the NCC.

FRNSW believes that there are inadequate provisions for fire safety within the building.

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Review items 1 to 2 of this report and conduct an inspection.
- b. Upgrade the fire hydrant system, to operate without the need for a portable relay pump, to meet the requirements of the current AS2419.1 for an equivalent new

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building, as these older fire hydrant systems no longer meet the operational requirements of FRNSW.

- c. Address any other deficiencies identified on "the premises".

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.

Please do not hesitate to contact Station Officer Kurt Ingle of FRNSW's Fire Safety Compliance Unit at 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 FRN25/930 - BFS25/1739 - 8000041440 regarding any correspondence concerning this matter.

Yours faithfully



Paul Scott
Team Leader
Fire Safety Compliance Unit