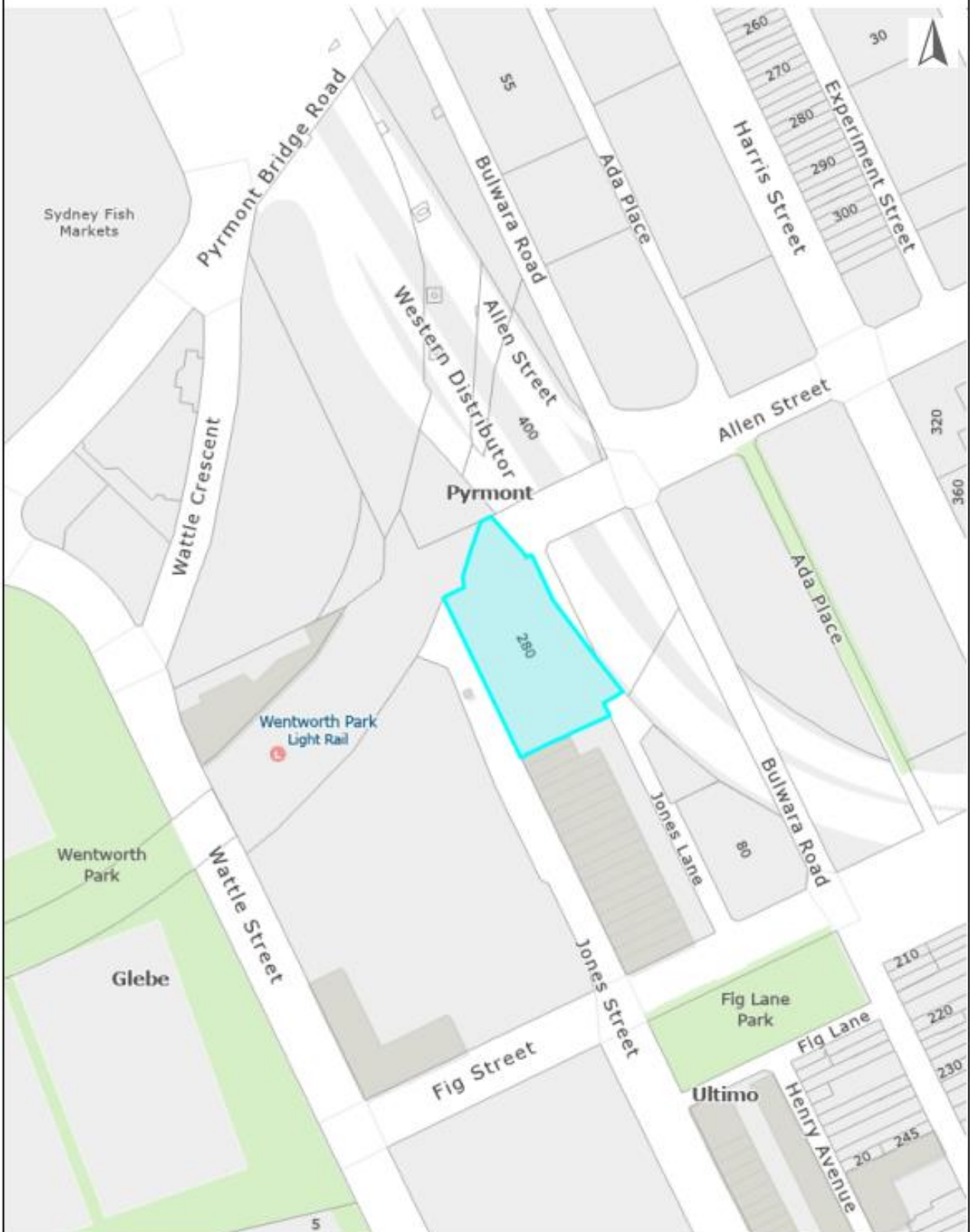


Attachment D

**Inspection Report
280 Jones Street, Pymont**

Locality Map

CITY OF SYDNEY 



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Notes

280 Jones Street Pymont

13/01/2025

**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 3261771 **Officer:** Bilal Badyari

Date: 13 January 2025

Premises: 280 Jones Street, PYRMONT NSW 2009

Executive Summary:

The City of Sydney (the City) received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) on 3 December 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, which involved FRNSW undertaking an inspection of the premises on 5 August 2024 and 21 August 2024.

The premises consists of a ten (10) storey building, used primarily for residential accommodation with basement parking and ground floor commercial office. Records indicate the building was constructed in 2013.

An inspection of the premises undertaken by a City investigation officer on 13 January 2025, in the presence of the building manager, revealed no significant fire safety issues occurring within the premises.

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

The City's records indicate that a fire safety order was issued on the owners of the building on 9 March 2023 requiring the owners to remove the combustible cladding and replace the combustible cladding with non-combustible cladding. The City's dedicated Cladding Team is continuing to compliance manage this Order, with the first stage of the Order nearly completed.

Chronology:

Date	Event
30 August 2024	Fire Safety Order issued by FRNSW requiring certification that the diesel pumps for the hydrant and sprinkler system are operational in accordance with their design and installation standard.
29 October 2024	FRNSW correspondence dated 28 October 2024 was received by the City identifying a number of fire safety maintenance issues.
3 December 2024	A review of the City's records was undertaken which identified that a Fire Safety Order had been issued for cladding removal and replacement. This Order is being compliance managed by the Dedicated Cladding Team.
13 January 2025	An inspection of the subject premises was undertaken by a City investigation officer, it was noted that: 1. Building equipped with several fire safety measures noted, including building occupant warning system, emergency lighting/Automatic fire suppression system and automatic alarm and smoke detection system. 2. Smoke and heat detectors provided. 3. Clear signage displayed on the cupboard reading fire indicator panel. 4. No faults in the panel at the time. 5. An Annual Fire Safety Statement dated 10/11/2023, was displayed in prominent area. 6. Service record book report dated 9 December 2024 stated 2 failed items for pump set number 1.

Date	Event
	7. Service record book report dated 9 December 2024 stated all items pass, however in the comments read fuel level 100%, please follow report for outstanding defects for pump set number 2.
14 January 2025	The City issued a compliance letter of instruction requiring owners to rectify minor fire safety issues by 4 February 2025.

FIRE AND RESCUE NSW REPORT:

References: FRN13/5214-BFS22/2071; D24/115580

Fire and Rescue NSW conducted an inspection 5 August and 21 August 2024 of the subject 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. The report from FRNSW detailed a number of issues, including:

Ref.	Issue	City response
5 August 2024 FRNSW Inspection		
1. Essential Fire Safety Measures		
1A.	Automatic Fire Detection and Alarm System	
A.	The Fire Indicator Panel (FIP) was displaying: i. Two (x2) 'Faults' identified as: o Zone 6 - Ground Floor South - Fire Door West o Zone 1701 - Site Fire Panel – 3rd Loop Load ii. One (x1) 'Disablement' identified as: o Zone 19 Part Disabled – Level 4 North – L5 Lift Lobby	No faults observed during the City's inspection dated 13 January 2025, addressing this issue.
1B.	Combined Fire Hydrant and Sprinkler System	
A.	Pumpsets – The Service Records (logbooks) for the diesel pumps identified the following defects. i. Primary Pump 1 noted: "Exhaust leakage" and "Please follow report for defects". ii. Secondary Pump 2 noted: "Failed to Start Auto & Manual" and "Outstanding defects need to be rectified".	The City's inspection on 13 January 2025 revealed that the defects noted in the logbooks have not been rectified. A compliance letter of instruction was issued on 14 January 2025, addressing this issue.
1C.	Annual Fire Safety Statement (AFSS):	
A.	A copy of the current AFSS was not prominently displayed within the building in accordance with Clause 89 of the EPAR 2021	The City's inspection on 13 January 2025 revealed that the AFSS was not on display. A compliance letter of instruction on 14 January 2025, addressing this issue.
21 August 2024 FRNSW Inspection		
2. Essential Fire Safety Measures		
2A.	Automatic Fire Detection and Alarm System	
A.	The Fire Indicator Panel (FIP) – At the time of the inspection there were no system faults or other issues observed, and the system appeared normal operation.	No faults observed during City's inspection dated 13 January 2025, addressing this issue.
2B.	Combined Fire Hydrant and Sprinkler System	
A.	Pumpsets i. Primary Pump 1 was running for no apparent reason.	No faults observed during City's inspection dated 13 January 2025. The

Ref.	Issue	City response
	ii. Exhaust was filling the pumproom due to the pump running. iii. The onsite Building Manager was unaware the pump was running and the period of time the pump had been running.	building manager advised that fire contractors were called and defect was rectified, addressing this issue.

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.

FRNSW Recommendations

FRNSW have not made any recommendations in relation to this matter.

They advise the defects identified in the FRNSW Order issued on 30 August 2024 have been addressed and are compliant. In this regard, Council is not required to act on item no. 1.1B and 2.2B of this report. It is the Council's discretion to inspect and address any other deficiencies identified on the premises.

CITY 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 site inspection undertaken by the City'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 the City and FRNSW.

The above correspondence has requested that building management attend to the following by 4 February 2025.

1. Ensure all the service logbooks are maintained accurately.
2. Ensure there is adequate level of fuel in the diesel pump sets.
3. Ensure all the outstanding defects identified by your fire contractor in the service logbook report are rectified immediately.
4. Ensure complaint annual fire safety statement is submitted to Council within 21 days from the date of this letter.
5. Ensure current complaint annual fire safety statement is displayed in the prominent area of the building.

The building will be reinspected after 4 February 2025 to ensure the above fire safety issues are suitably addressed.

It is recommended that the City not exercise its powers to give a fire safety order at this time, and that the Commissioner of FRNSW be advised of the City's actions and determination.

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File Ref. No: FRN13/5214 - BFS22/2071 - 8000021122
TRIM Ref. No: D24/115580
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
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 inspections of 'the premises' on 5 August 2024 and 21 August 2024 were 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 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
Fire Safety Compliance Unit

1 Amarina Ave
Greenacre NSW 2190

T (02) 9742 7434
F (02) 9742 7483

www.fire.nsw.gov.au

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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.

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 on 5 August 2024:

1. Essential Fire Safety Measures

1A. Automatic Fire Detection and Alarm System:

A. The Fire Indicator Panel (FIP) was displaying:

i. Two (x2) 'Faults' identified as:

- Zone 6 - Ground Floor South - Fire Door West
- Zone 1701 - Site Fire Panel – 3rd Loop Load

ii. One (x1) 'Disablement' identified as:

- Zone 19 Part Disabled – Level 4 North – L5 Lift Lobby

1B. Combined Fire Hydrant and Sprinkler System:

A. Pumpsets – The Service Records (logbooks) for the diesel pumps identified the following defects.

- i. Primary Pump 1 noted: "Exhaust leakage" and "Please follow report for defects".
- ii. Secondary Pump 2 noted: "Failed to Start Auto & Manual" and "Outstanding defects need to be rectified".

1C. Annual Fire Safety Statement (AFSS):

A. A copy of the current AFSS was not prominently displayed within the building in accordance with Clause 89 of the EPAR 2021.

The following was observed at the time of the inspection on 21 August 2024:

2. Essential Fire Safety Measures

2A. Automatic Fire Detection and Alarm System:

- A. The Fire Indicator Panel (FIP) – At the time of the inspection there were no system faults or other issues observed and the system appeared normal operation.

2B. Combined Fire Hydrant and Sprinkler System:

A. Pumpsets:

- i. Primary Pump 1 was running for no apparent reason.
- ii. Exhaust was filling the pumproom due to the pump running.
- iii. The onsite Building Manager was unaware the pump was running and the period of time the pump had been running.

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.

FIRE SAFETY ORDER NO. 1

The inspecting Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW issued an Order No. 1, dated 30 August 2023, in accordance with the provisions of Section 9.34 of the EP&A Act, to have item no. 1.1B and 2.2B of this report rectified.

In accordance with the provisions of Schedule 5, Part 6, Section 12 of the EP&A Act, a copy of the Order is attached for your information (Appendix 1).

OUTCOME

FRNSW received correspondence on 20 September 2024 from the Building Manager/Fire Safety Contractor advising that *'the inspection has been carried out and both pumps are operational'*. A Certificate of Inspection was provided with the email correspondence and has been attached for you information (Appendix 2).

On that basis, the terms of 'the Order' issued on the premises were compliant. In this regard, Council is not required to act on item no. 1.1B and 2.2B of this report. It is the Council's discretion to inspect and address any other deficiencies identified on the premises.

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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 FRN13/5214 - BFS22/2071 - 8000021122 for any future correspondence in relation to this matter.

Yours faithfully



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

Attachment: [Appendix 1 – FRNSW Fire Safety Order Ref: D24/105025 dated 30/08/2024]
[Appendix 2 – Certificate of Inspection prepared by Resource Risk
Management dated 20/09/2024]

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Appendix 1 – FRNSW Fire Safety Order No. 1 Ref: D24/105025 dated 30 August 2024

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File Ref. No: FRN13/5214 - BFS22/2071 - 8000021122
TRIM Ref. No: D24/105025
Contact: Mark Knowles

30 August 2024

The Owners of Strata Plan No 92496
C/- Jamesons Strata Management
PO Box 2001
SPIT JUNCTION NSW 2088

Dear Owners of Strata Plan No. 92496

**Re: FIRE SAFETY ORDER – ORDER NO.1
280 JONES STREET, PYRMONT ("the premises")**

Following the Notice of Intention to give a Proposed Fire Safety Order – Order No.1 ("the Notice"), dated 22 August 2024 issued on "the premises", Fire and Rescue NSW (FRNSW) has yet to receive representations in response to the Notice.

Given the circumstances of the fire safety concern and under Schedule 5, Part 7 (Section 14 and Section 15) of the *Environmental Planning & Assessment Act 1979 (EP&A Act)*, FRNSW has determined to issue the Fire Safety Order – Order No.1 based on the information available. I have attached a copy of the FRNSW **Fire Safety Order – Order No.1 ("the Order")** under Section 9.34 of the EP&A Act.

A copy of **the Order** will be forwarded to City of Sydney Council, under Schedule 5, Part 6, Section 12 of the EP&A Act. Authorised Fire Officers will conduct inspections to assess compliance with **the Order**.

Please do not hesitate to contact Mark Knowles 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 ensure that you refer to file reference FRN13/5214 - BFS22/2071 - 8000021122 regarding any correspondence concerning this matter.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'M. Knowles'.

Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

CC Email: Jamesons Strata Management
Attention: Nathan Frear
nathanf@jamesons.com.au
certifications@jamesons.com.au

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 7843
www.fire.nsw.gov.au		Page 1 of 3

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Fire Safety Order ORDER No. 1

Under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*
Part 9 Implementation and Enforcement – Division 9.3 Development Control Orders
Fire Safety Orders in accordance with the table to Part 2 - Schedule 5.
Give an Order in accordance with Section 9.34(1)(b)

I, **Mark Knowles** **Senior Building Surveyor** **904279**
(name) (rank) (number)

being an authorised Fire Officer within the meaning of Schedule 5, Part 8, Section 16
of the *Environmental Planning and Assessment Act 1979*, and duly authorised for the
purpose, hereby order you

The Owners of Strata Plan No. 92496 **Owner**
(name of the person whom Order is served) (position, i.e. owner, building manager)

with respect to the premise

280 JONES STREET, PYRMONT ("the premises")
(name/address of premises to which Order is served)

to do, or refrain from doing, the following things:

1. Provide certification from the fire safety contractor confirming that the primary and secondary diesel pumps for the combined fire hydrant and sprinkler system are fully operational in accordance with their design and installation standard.

The reasons for the issue of this Fire Safety Order - Order No.1 are:

- a. At the time of the inspection on 5 August 2024, the Service Records (logbooks) for the diesel pumps identified a number of defects.
 - i. Primary Pump 1 noted "Exhaust leakage" and "Please follow report for defects".
 - ii. Secondary Pump 2 noted "Failed to Start Auto & Manual" and "Outstanding defects need to be rectified".
- b. At the time of the inspection on 21 August 2024:
 - i. Primary Pump 1 was running for no apparent reason.

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 7843
www.fire.nsw.gov.au		Page 2 of 3

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- ii. Exhaust was filling the pumproom due to the pump running.
- iii. The onsite Building Manager was unaware the pump was running and the period of time the pump had been running.
- c. Given points "a" and "b" above, it cannot be confirmed whether the pumps will operate to the required standard of performance.
- d. Ensuring the correct operation of the combined fire hydrant and sprinkler system pumps will likely safeguard occupants from injury and help to suppress fire by assisting Fire and Rescue NSW in undertaking firefighting operations.
- e. To ensure that the combined fire hydrant and sprinkler system is capable to operating in accordance with the standard of performance it was designed and installed to.
- f. To ensure compliance with the requirements of Section 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
- g. To do or refrain from doing such things specified in the Order to ensure or promote adequate fire safety or awareness.

The terms of this Fire Safety Order - Order No.1 are to be complied with:

By no later than **5.00 pm** on the **13 September 2024**.

Appeals

Pursuant to Section 8.18 of the Environmental Planning & Assessment Act 1979 (EP&A Act), there is no right of appeal to the Court against this Fire Safety Order - Order No.1 other than an order that prevents a person from using or entering premises.

Non-Compliance with Fire Safety Order – Order No.1

Failure to comply with this Fire Safety Order - Order No.1 may result in further Orders and/or fines being issued.

Substantial penalties may also be imposed under Section 9.37 of the EP&A Act for failure to comply with a Fire Safety Order - Order No.1.



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

This Fire Safety Order - Order No. 1 was mailed on **30 August 2024**.

Appendix 2 – Certificate of Inspection: Resource Risk Management dated 20 September 2024



20th September, 2024



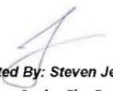
Sydney Office
 Suite 70, Level 4
 89-97 Jones Street
 Ultimo NSW 2007
 ABN 46 067 115 035
 Phone + 61 2 9571 7551
 Fax + 61 2 9571 7551
 Email admin@rrm.com.au
 Web www.rrm.com.au

Certificate of Inspection

Issued under the Building Code of Australia – Evidence of Suitability A2.2 (a) (iii)

Project Address:	280 Jones Street, Pyrmont, NSW
Inspection Certification Scope of Work:	Inspection and Rectification of the existing fire sprinkler pump within the pump room at the above address.
Inspection Certification:	I, Steven Jeffs of Resource Risk Management inspected that: • Primary Sprinkler Pump 1 and Secondary Pump 2, with newly installed batteries operated under fire mode and manual control. • Pump 1 & Pump 2 exhaust have been inspected and rectify to minimize fume leakage. • The Sprinkler Pump has been accessed by a person (chosen by me) who was properly qualified to do so and was found when it was inspected. To have been in accordance with the design requirements to meet at least the minimum applicable Building Code of Australia requirements and/or the relevant Australian Standards and can perform to a standard not less than required. • Inspections and testing have been carried out and to the best of our knowledge the systems are operational

The information contained in this certificate is, to the best of my knowledge and belief, true and accurate.


Inspected By: Steven Jeffs
 Director – Senior Fire Engineer
 Accreditation number: F053754A