

City of Sydney response (additional information) to the further inquiry into regulation of building standards

31 Market Street, Sydney - Background

The premises is an office tower having a rise in stories of 36, and an effective height of approximately 136 metres. The premises consist of a lower level podium component with a high-rise tower sitting above. The premises is predominantly commercial and contains an early childcare centre. Council was notified (July 2018) by Fire and Rescue NSW (FRNSW) of concerns held on the type, amount, arrangement, and location of external wall cladding fitted to the subject premises. FRNSW were also concerned with the risk of fire spread and the effect on the safety of persons in the event of fire.

There are two types of combustible cladding in situ. Laboratory testing carried out confirmed that cores contained more than 98% Polyethylene (PE). An aluminium composite panel having a core comprised of greater than 30% PE by mass is a banned product (NSW). Council determined the building as a high risk cladding category given the cladding type, the extensive level of vertical connectivity, the direct physical interconnection of spandrels and columns, the location above the buildings only two fire isolated exit discharge points, the challenges presented to emergency services to fight an outbreak of fire and the potential of the burning cladding to eject debris on lower levels. The potential fire risk also extended to the lower level childcare centre.

A Building Product Rectification Order (BPRO) was issued 15 Nov 2019 and expires 18 Jan 2023, to remove and replace combustible cladding. The BPRO that was issued split the removal and replacement works to the building into two parts; the 'Podium Levels' and the 'Tower'. Under the BPRO, works to the Podium Levels (Ground – Level 3) and the Tower (levels 4-39) were treated separately, and were further split into different terms and compliance stages. In respect of the Podium portion, works are in the final stages of completion, replacement details have been submitted and replacement is complete. The City is reviewing compliance completion documentation. The Tower works are yet to start, and the City is working with the owners on the proposed replacement material and methods of construction.

City of Sydney – Cladding Program – Program initiation & Breakdown of numbers (to date)

The City initiated the current cladding compliance program in October 2018. Prior to this, the City took a liaison type approach and engaged relevant building owners on the varying aspects of combustible cladding and the approach that ought to be employed in seeking safety in individual situations.

Number of buildings subject of cladding investigations		509
Percentage of buildings differentiated by type	Commercial	30%
	Residential	70%

Number current buildings/investigations (being worked on)		294
Number of buildings at each stage of assessment or remediation	Under assessment by Council	135
	Audit required by building owners	29
	Remediation required by owners	125
	Remediation undertaken by development consent (not Order)	7
	Building investigation completed	120
Number of completed buildings/investigations	Cleared due to risk	80
	Cleared due to remediation	40
Number of Notices/Orders issued		250+ (approximate)
Number of buildings eligible for Project Remediate*	Building Class 2 and categorised as high-risk	76

** Approximate based on Project Remediate general public facing criteria*

Note

The City is yet to receive any funding (\$10,000 payment) from the NSW Government as there are no City located building signed up (entered into remediate contracts) with Project Remediate. The City receives this payment only when, a building is remediated under Project Remediate.