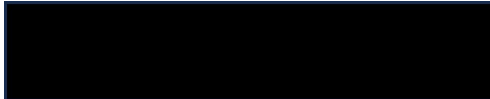


Attn. Proper Officer
AHAA Investments Australia Pty Ltd
ACN 642 141 222
Unit 2 165 Rookwood Road
YAGOONA NSW 2199

Via email:



19/04/2024

Stop Work Order

Section 29 of the *Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020*

AHAA Investments Australia Pty Ltd (ACN 642 141 222) (the **Developer**) is issued with this Stop Work Order (this **Order**) in relation to a residential apartment building located at 122-124 Erina Street and 138-142 Henry Parry Drive, Gosford NSW 2250 (Lot 2, 3, 4 & 5 DP 19484, Lot 1 DP 550047) (the **Development**).

The Developer is required to ensure all work on the site stops by 19 April 2024.

Please read the Stop Work Order carefully and comply with the conditions.

Failure to comply with this Order is an offence and may result in criminal proceedings.

Background

1. The Department of Customer Service (the **Department**) administers the *Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020* (the **Act**).
2. The Building is located at **122-124 Erina Street and 138-142 Henry Parry Drive, Gosford NSW 2250 (Lot 2, 3, 4 & 5 DP 19484, Lot 1 DP 550047) (the Development)**.
3. The Developer is currently carrying out, or organising to be carried out, building works to construct the Development (**Building Work**).
4. The Development is a Class 2 residential apartment building where work has previously been authorised to commence. Pyramids Builders Pty Ltd is the principal contractor, Amir Samir Salama Abdelbadie (Development Manager and Qualified Supervisor License No 75773S (NSW)).
5. Under section 29 of the Act, the Secretary of the Department or her authorised delegate may order the Developer to ensure that work stops at the building if the Secretary forms the opinion that the building work is, or is likely to be, carried out in a manner that could

result in:

- a. Significant harm or loss to the public or occupiers or potential occupiers of the building to which the work relates
 - b. Significant damage to property.
6. I, David Chandler, am a duly authorised delegate of the Secretary for the purposes of section 29 of the Act.
 7. On 16 February 2024, authorised officers of the Building Commission NSW conducted an inspection at the Development.
 8. At the inspection, the authorised officer observed the following:
 - Construction site was presented very poorly and unsafe.
 - Two large sections of the concrete boundary walls had been removed to allow for machinery access.
 - Signs of concrete placement during inclement weather (rain).
 - Poor concrete placement with cold joints, cracking and honeycombing throughout the building.
 - The erection of back propping to basement slabs due to assumed structural failures.
 - Demolition and rectification works were being undertaken to rectify defective works.
 9. On 27 March 2024, Authorised Officers received an email with NATA test results, advising of concrete test reports carried out by STS Geotechnics (reports no 24/0763, 24/0822 & 24/0835). The report demonstrated severe structural deficiency to the concrete strength, prompting the engineer to cease works and call for a redesign of the entire structure.

Grounds for issuing this Order

10. I, David Chandler, am aware that during the inspections on the 16 February 2024, Building Work was being carried out at the building. I am therefore of the opinion that building work is currently being carried out or is likely to be carried out.
11. I consider that Structural works is critical to the safety and integrity of the building.
12. Based on my review of the matter and discussions with authorised officers about their observations, I consider that continuing with building work in circumstances where there are signs of structural defects and inadequacy could lead to failure of the structure and result in significant harm to property and to persons working on the site.

Direction to ensure Building Work Stops

13. I, David Chandler, Order the Developer to ensure that the Building Work stops effective from the day this order is given to the Developer.

Duration of this order

14. This order remains in force until it is revoked by the Secretary or their authorised delegate.



David Chandler
NSW Building Commissioner
Building Commission NSW
Department of Customer Service

Notes

- It is an offence to fail to comply with this order. The maximum penalty for a company is 3,000 penalty units and in addition, for every day the offence continues, 300 penalty units. For an individual the maximum penalty is 1,000 penalty units and in addition, for every day the offence continues, 100 penalty units.
- You may appeal to the Land and Environment Court against this order within 30 days of the notice of the order being given. Lodging an appeal does not stop the order taking effect, unless directed by the Court.
- Upon issuing this order, the Department has notified the relevant local council and the principal certifier for the building, in accordance with s 29(6) of the Act.