

Attachment C

**Inspection Report
68-68A Darlinghurst Road, Potts Point**

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: Lutfor Rahman

Date: 6 January 2026

Premises: 68-68A Darlinghurst Road, Potts Point (AKA, 8 Kellett Street, Potts Point)

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 5 November 2025 with respect to matters of fire safety.
2. The premises consists of a 3 storey building used for residential and commercial purposes.
3. The City inspected the premises on 12 November 2025, accompanied by the Managing Agent. This inspection found that fire safety was adequately provided.

Chronology

Date	Event
5 November 2025	FRNSW correspondence received
12 November 2025	The City inspected the premises identifying that the items raised by FRNSW had already been resolved and fire safety was being adequately provided.

Fire and Rescue NSW Report

4. Fire and Rescue NSW conducted an inspection of the subject premises on 16 October 2025.

Issues

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

Ref.	Issue	City response
1	Automatic Smoke Detection and Alarm System (ASDAS).	
1A	The Fire Indicator Panel identified the following 'Disablement': Zone 11 – G1 2nd Floor – 'Isolated'.	
	The Property Manager advised during the inspection that the fire panel had recently been upgraded and several smoke detectors were disabled due to water damage and vandalism, with replacements scheduled for 21 October 2025. On that date, FRNSW received confirmation that all damaged and vandalised sensors, including those in Unit 8, had been replaced and the fire panel was fully operational. A photo of the panel was provided as evidence. Any further investigation would be at Council's discretion as the relevant regulatory authority.	The City's inspection on 12 November 2025 found the fault in the Fire Indicator Panel had been resolved and panel was operational, addressing this issue.

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 it has been confirmed that the above recommendations of FRNSW have been complied with.
8. It is recommended that the Commissioner of FRNSW be informed of the City's decision.

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File Ref. No: FRN25/1281 - BFS25/2623 - 8000042150
TRIM Ref. No: D25/131172
Contact: Mark Knowles

5 November 2025

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
8 KELLETT STREET, POTTS POINT ("the premises")
[AKA: 68 DARLINGHURST ROAD]**

Fire and Rescue NSW (FRNSW) received correspondence on 20 April 2025 concerning the adequacy of the provision for fire safety in or in connection with the premises.

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 16 October 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.

COMMENTS

The following items were identified in relation to the provisions for fire safety:

Regulatory Requirements

Fire Safety

1. Automatic Smoke Detection and Alarm System (ASDAS):
 - A. The Fire Indicator Panel identified the following 'Disablement':
 - i. Zone 11 – G1 2nd Floor – 'Isolated'.

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		Page 1 of 2

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Discussion with the Property Manager at the time of the inspection revealed the Fire Panel had recently been upgraded and the disablement related to smoke detectors on the top floor level which had recently been damaged by water, however the fire contractor was scheduled to replace the detector on 21 October 2025. It was also advised that another smoke detector had been vandalised and was due for replacement.

FRNSW received email correspondence from the Property Manager on 21 October 2025, advising the following:

Confirming that the water damaged and vandalised heat sensors have now been replaced. The sensors in unit 8 have also now been replaced, so the fire panel is fully operational.

A photograph of the Fire Panel was provided with the correspondence to demonstrate such.

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

LIMITATIONS

The items listed in the comments of this report are based on the following limitations:

- FRNSW's inspection of the premises may have been conducted without having the development consent and / or approved plans as a reference.
- FRNSW's inspection of the premises was a non-invasive visual inspection.
- FRNSW authorised fire officers may not have been able to access all areas of the premises at the time of inspection.

The following parts of the premises were not able to be inspected:

- The sole occupancy units.

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 you have any questions or concerns regarding the above matters. Please ensure that you refer to file reference FRN25/1281 - BFS25/2623 - 8000042150 for any future correspondence concerning this matter.

Yours faithfully



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit