

Attachment I

**Inspection Report
49-53 Regent Street, Chippendale**



Figure 1: 49-53 Regent Street, Chippendale, viewed from the south-east



Figure 2: Location map of 49 – 53 Regent Street, Chippendale

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: Arfan Chaudhary

Date: 24 October 2025

Premises: 49-53 Regent Street, Chippendale

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 20 October 2025 with respect to matters of fire safety.
2. The premises consists of a 7 storey building used for residential and commercial purposes.
3. The City inspected the premises on 4 November 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
20 October 2025	FRNSW correspondence received regarding premises.
4 November 2025	The City inspected the premises and identified fire safety deficiencies that need to be addressed.
6 January 2026	The City issued a corrective action letter requiring identified deficiencies to be rectified in two stages. Stage 1 works are required to be completed by 28 February 2026, and stage 2 works are required to be completed by 31 March 2026.

Fire and Rescue NSW Report

4. Fire and Rescue NSW conducted an inspection of the subject premises on 10 September 2025.

Issues

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

Ref.	Issue	City response
	Provisions for Fire Safety	
	Fire Hydrant System	
1	The booster assembly	
A	The doors to the booster enclosure were not fitted with a device capable of securing the door in not less than a 90° open position, contrary to the requirements of Clause 11.2.2 of AS 2419.1-2021.	The City's inspection on 4 November 2025 identified a booster enclosure door could not be secured open. To address this, on 18 November 2025 the building owners provided evidence that a hold open device has been fitted, addressing this issue.
2	The pumproom	
A	The pumproom contains equipment other than firefighting pumpsets and associated equipment, contrary to the requirements of Clause 6.11.1 of AS 2149.1-2021. In this regard the pumproom contained multiple heavy-duty gas indoor hot water heaters and pump controller, electrical switchboard, mechanical services switchboard, domestic water pumps and control panels.	The City's inspection on 4 November 2025 confirmed the building was constructed in 2003, when there were no such requirements under AS 2419.1 – 1994 for the pumproom not to have other equipment. Considering the building still complies with its original standard of performance; no upgrades are required to address this issue.
B	The enclosing walls of the pumproom contained multiple unprotected service penetrations; therefore, the enclosing walls did not maintain the required FRL for the wall, contrary to the requirements of Clause 6.11.2 of AS 2419.1-2021.	The City's inspection on 4 November 2025 identified unprotected service penetrations. A corrective action letter issued 6 January 2026 requiring penetrations to be sealed by 31 March 2026. Follow up inspections will be undertaken to ensure the work is completed, addressing this issue.

Ref.	Issue	City response
C	The pumphroom's door opened directly into the fire-isolated stairway and not an airlock or smoke lobby that leads to a fire-isolated passageway or stairway.	The City's inspection on 4 November 2025 identified the door opened directly into the fire-isolated stairway. To address this, smoke seals were installed on the fire door from the lobby into the fire stairs adjacent the fire pump room to stop smoke entering into the fire-isolated stairway and pumphroom, addressing this issue.
3	Automatic Smoke Detection and Alarm System	
A	Upon arrival, the Fire Indicator Panel (FIP), associated with the Automatic Smoke Detection and Alarm System, was in 'Alarm' and had not been reset since the fire incident. In this regard, the FIP was displaying smoke detector activations in Zone 1 (ground floor), Zone 2 (Level 1), Zone 3 (Level 2), Zone 6 (Level 5) and Zone 7 (Level 6) and each of the 'Zones' were isolated.	The City's inspection on 4 November 2025 identified a FIP fault on ground floor due to temporary works. To address this, on 18 November 2025 the building owners provided evidence that the fault had been fixed, addressing this issue.
4	Fire Doors	
A	Multiple fire doors to the Sole Occupancy Units (SOU's) had been damaged as a result of 'search and rescue' efforts by the attending fire-fighters. It is noted that an insurance assessor arrived at the premises at the time of the inspection to assess the damaged fire doors that would need to be replaced and also taking measurements for doors that would require replacing.	The City's inspection on 4 November 2025 identified damaged fire doors. A corrective action letter was issued on 6 January 2026 requiring doors to be repaired by 28 February 2026. Follow up inspections will be undertaken to ensure the work is completed, addressing this issue.
B	Multiple fire doors to the garbage rooms on the residential levels, failed to return to the fully closed position (and self-latch) after each opening, when tested, contrary to the requirements of Clause C412 and Specification 12 of the NCC and AS1905.1.	The City's inspection on 4 November 2025 identified fire doors failed to return to closed position and self-latch. To address this, on 18 November 2025 the building owners provided evidence that a self-latch device has

Ref.	Issue	City response
		been installed, addressing this issue.
	Fire Safety Statements	
5.	An Annual Fire Safety Statement (AFSS) was not prominently displayed within the building in accordance with Section 89 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR21).	The City's inspection on 4 November 2025 confirmed a copy of the AFSS was displayed in the foyer of the building, addressing this issue.
	Other Findings	
6	Barriers – A suitable barrier (i.e. a bollard) was not provided to the north-eastern exits (Regent Street discharge) on basement levels 1 and 2, to prevent vehicles from blocking the exits, or access to it, contrary to the requirements of Clause D2D15(1) of the NCC. In this regard, a car was parked in the carspace directly in front of the doorway, which was obstructing the passage of persons using the exit.	The City's inspection on 4 November 2025 identified barriers are required. To address this, the owners installed the required barrier and provided evidence of install on 3 December 2025, addressing this issue.
7	Sprinkler system – For carparks (other than open deck), where a fire compartment accommodates more than 40 vehicles, the NCC requires the installation of a sprinkler system in accordance with Clause E1D9 and Specification 17 of the NCC. In this regard, the basement level carpark is a single fire compartment which accommodates more than 40 vehicles and currently no such system is installed.	The City's inspection on 4 November 2025 identified excessive carparking in the building's basement. A corrective action letter was issued on 6 January 2026 requiring no more than 40 spaces be used in the carpark by 28 February 2026. A follow up inspection will be undertaken to ensure no more than 40 spaces are being used, 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 a corrective action letter was issued on 6 January 2026 to the building owners of the building to rectify to address the identified fire safety deficiencies identified noted by the City and FRNSW.
8. It is recommended that the Commissioner of FRNSW be informed of the City's decision.

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File Ref. No: FRN25/2284 – BFS25/6310 – SRID 8000045052
TRIM Ref. No: D25/124209
Contact: Mark Knowles

20 October 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
49-53 REGENT STREET CHIPPENDALE ("the premises")**

Fire and Rescue NSW (FRNSW) received correspondence on 10 September 2025 concerning a fire incident at 'the premises'. As a result, a fire safety concern was lodged.

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 10 September 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

Date / Time of Fire: 10 September 2025 / Approximately 06:37 hours
Extent of Fire: Fire contained to the ground floor retail tenancy (Flyebike-Sydney)
Damage: Fire, smoke and water damage
Type of Alarm: Triple Zero (000) Call
Evacuation: 83 Evacuated from residential premises
Casualties: Nil

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 6

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FRNSW noted the following during the investigation of this incident:

- The concern received alleged the building occupants were trapped in the fire stair, were unable to exit the stair and required fire-fighters assistance in the evacuation.
- Fire-fighters commenced search and rescue activities upon arrival and assisted occupants from the building who were unable to exit.
- FRNSW Incident log indicated that at 7:21 hours 'People were stuck in the fire stairs at Level 6 – unable to go down to bottom exit', then later at 07:28 hours that 'People managed to get out of the fire stairs at Level 6 – are waiting on Level 6 near lifts for fire-fighters'.
- Due to the concerns relating to occupants being unable to exit the building at the time of the fire incident, Authorised Fire Officers from the Compliance Unit of FRNSW conducted a general overview of the egress provisions for the building during the inspection, which was post fire and prior to re-occupation. The following was observed at the time of the inspection:
 - A single fire-isolated stairway, centrally located in the floor plan layout, is provided for the residential levels from Level 1 to Level 7. There are two (x2) access doors into the fire stairway on each level.
 - When descending the fire-isolated stairway from Level 1, a two-way junction is reached near the midway point between the first floor and ground floor. Turning 'Left' leads to a descending flight of stairs and a doorway which provides access into and egress from the ground floor lobby. It is noted that the door is locked from inside the fire stair. Turning 'Right' at the junction leads to a descending flight of stairs to a passageway which leads out to Goold Street at the rear of the building.
 - Within the fire-isolated stairway, an illuminated directional exit sign is provided on the wall (just above head height) at the junction between the first floor and the ground floor level, pointing in the direction (i.e. 'Right') to the passageway and ultimately towards the discharge door to Goold Street.
 - Fire-fighters alleged that the occupants when using the fire-isolated stairway during the fire incident, reached the junction and mistakenly turned 'Left' towards the ground floor lobby door which was locked on the inside. At this stage it is possible the occupants panicked before returning up the stairs to Level 6, where they managed to re-enter the public corridor (as the doors on other levels were locked from the inside). It is noted that as the building does not achieve an effective height of more than 25m, therefore the re-entry provisions of the NCC do not apply to the exit.
 - It is unclear why the occupants did not attempt to utilise the other descending flight of stairs at the junction which would have provided safe egress from the building, but it is assumed that the occupants may not

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be familiar with the buildings exit strategy and simply may not have seen the illuminated directional exit sign at the junction and then panicked once they discovered the locked door to the ground floor level lobby.

- Concerns were also raised about the time between the initial fire alarm activation and the time FRNSW incident was logged.
- Upon reviewing the 'Fire Event' log/record via the menu function on the Fire Indicator Panel, it was apparent that the initial 'Alarm' activation was registered in Zone 1 Ground Floor at 06:37 hours. Subsequent 'Alarm' activations were registered in Zone 3 Level 2 at 07:21 hours, Zone 6 Level 5 at 07:23 hours, Zone 2 Level 1 at 07:24 hours and Zone 7 Level 6 at 07:31 hours.
- It appears that the subsequent 'Alarm' activations on the upper residential levels may have occurred as the occupants exited the Sole Occupancy Units (SOU's) i.e. opened the SOU entry doors (particularly those SOU's on the Regent Street façade directly above the fire) with smoke transferring back through the SOU's into the public corridors, which then activated the common are smoke detection system. There were no allegations or evidence to suggest smoke transferred to the upper floor via the fire stairs or by other means (i.e. a lack of fire/smoke separation within the building).
- FRNSW Incident log also indicated the first Triple 000 call was received at 07:04 hours, which was approximately 27 minutes after the initial fire alarm activation at 06:37 hour as indicated in logs/records accessed via the Fire Indicator Panel.
- Alarm Signalling Equipment (ASE) to automatically transfer a fire alarm activation to FRNSW is not provided (or required by the NCC) to the Automatic Smoke Detection and Alarm System at 'the premises', hence the reason a triple zero call was required to notify FRNSW. The time between the initial fire alarm activation and the initial triple zero call of 27 minutes appears be a result of occupant behaviour and possibly the expectation that FRNSW would automatically be notified, therefore a lack of understand of how the system operates.

The following items were identified at the time of the inspection in relation to the provisions for fire safety:

Provisions for Fire Safety

Fire Hydrant System

The fire hydrant system appears to be installed in accordance with AS 2419.1-1994. Notwithstanding this, the following comments are provided having regard to AS 2419.1-2021:

1. The booster assembly:
 - A. The doors to the booster enclosure were not fitted with a device capable of securing the door in not less than a 90° open position,

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contrary to the requirements of Clause 11.2.2 of AS 2419.1-2021.

2. The pumproom:

- A. The pumproom contains equipment other than firefighting pumpsets and associated equipment, contrary to the requirements of Clause 6.11.1 of AS 2149.1-2021. In this regard the pumproom contained multiple heavy-duty gas indoor hot water heaters and pump controller, electrical switchboard, mechanical services switchboard, domestic water pumps and control panels.
- B. The enclosing walls of the pumproom contained multiple unprotected service penetrations; therefore, the enclosing walls did not maintain the required FRL for the wall, contrary to the requirements of Clause 6.11.2 of AS 2419.1-2021.
- C. The pumproom's door opened directly into the fire-isolated stairway and not an airlock or smoke lobby that leads to a fire-isolated passageway or stairway, contrary to the requirements of Clause 6.11.2 of AS 2419.1-2021.

Regulatory Requirements

Fire Safety

3. The Automatic Smoke Detection and Alarm System:

- A. Upon arrival, the Fire Indicator Panel (FIP), associated with the Automatic Smoke Detection and Alarm System, was in 'Alarm' and had not been reset since the fire incident. In this regard, the FIP was displaying smoke detector activations in Zone 1 (ground floor), Zone 2 (Level 1), Zone 3 (Level 2), Zone 6 (Level 5) and Zone 7 (Level 6) and each of the 'Zones' were isolated.

During discussions with the Building Manager, FRNSW requested the fire technician attend the building to reset the fire panel, prior to the building being re-occupied.

The fire technician attended at the time of FRNSW inspection and re-set the FIP, with only Zone 1 Ground Floor remaining isolated. The fire technician advised FRNSW that they would return the following day to re-cable and bypass the fire affected tenancy, as a temporary measure until such time that the tenancy was restored from the fire damage.

A re-inspection of the FIP was conducted by FRNSW on 15 September 2025, revealed the FIP was free of all alarms, faults and isolations, noting that the fire affected tenancy had been bypassed.

4. Fire Doors:

- A. Multiple fire doors to the Sole Occupancy Units (SOU's) had been damaged as a result of 'search and rescue' efforts by the attending fire-fighters. It is noted that an insurance assessor arrived at the premises at the time of the inspection to assess the damaged fire doors that would need to be replaced and also taking measurements for doors that would require replacing.
- B. Multiple fire doors to the garbage rooms on the residential levels, failed to return to the fully closed position (and self-latch) after each opening, when tested, contrary to the requirements of Clause C412 and Specification 12 of the NCC and AS1905.1.

Fire Safety Statements

- 5. An Annual Fire Safety Statement (AFSS) was not prominently displayed within the building in accordance with Section 89 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR21).

Other Findings

- 6. Barriers – A suitable barrier (i.e. a bollard) was not provided to the north-eastern exits (Regent Street discharge) on basement levels 1 and 2, to prevent vehicles from blocking the exits, or access to it, contrary to the requirements of Clause D2D15(1) of the NCC. In this regard, a car was parked in the carspace directly in front of the doorway, which was obstructing the passage of persons using the exit.
- 7. Sprinkler system – For carparks (other than open deck), where a fire compartment accommodates more than 40 vehicles, the NCC requires the installation of a sprinkler system in accordance with Clause E1D9 and Specification 17 of the NCC. In this regard, the basement level carpark is a single fire compartment which accommodates more than 40 vehicles and currently no such system is installed.

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

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Review items 1 to 7 of this report and conduct an inspection.
- b. Address any other deficiencies identified on "the premises".

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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 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 FRN25/2284 – BFS25/6310 – SRID 8000045052 regarding any correspondence concerning this matter.

Yours faithfully



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit