

Attachment M

**Inspection Report
39 Dangar Place, 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: Doug McLennan

Date: 8 January 2026

Premises: 39 Dangar Place, 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 3 November 2025 with respect to matters of fire safety.
2. The premises consists of a 6 storey building used for residential apartments and ancillary carpark.
3. The City inspected the premises on 26 November 2025, accompanied by the owner's Strata Committee member. This inspection identified deficiencies in fire safety. To address this, a fire safety order (order) is recommended to be issued under the Act.

Chronology

Date	Event
3 November 2025	FRNSW correspondence received.
26 November 2025	The City inspected the premises identifying deficiencies in fire safety.
8 January 2026	The City issued a Notice of Intention to Give a Fire Safety Order (NOI).

Fire and Rescue NSW Report

4. Fire and Rescue NSW conducted an inspection of the subject premises on 18 July 2025.

Issues

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

Ref.	Issue	City response
	Essential Fire Safety Measures	
	Fire Hydrant System	
1	A service records logbook for the Fire Hydrant System was not available on site.	The City's inspection on 26 November 2025 found no service logbook for the Fire Hydrant System. In response to this, the City issued a NOI on 8 January 2026 that included (as an interim measure) the servicing, maintenance and certification of the existing Fire Hydrant System. Follow up inspections will be undertaken to ensure the work is completed, addressing this issue.
2	It is noted that the existing hydrant system has been installed in accordance with the requirements of Ordinance 70. The following is the formal position of FRNSW regarding Ordinance 70 Hydrant Systems. <i>When a consent authority (e.g. Council) is assessing the adequacy of an existing fire hydrant system installed in accordance with the provisions of Ordinance 70 and Ministerial Specification 10 (or earlier), FRNSW recommend that the system be upgraded to meet the requirements of AS 2419.1:2021 to facilitate the needs of FRNSW appropriate to firefighting operations.</i> <i>FRNSW acknowledge that all aspects of AS 2419.1:2021 may not be able to be complied with due to the characteristics and constraints of the existing fire hydrant system and/or building or premises. A bespoke upgrade solution may be required.</i>	The City's inspection on 26 November 2025 confirmed the existing hydrant system warrants upgrade. In response the City issued a NOI on 8 January 2026 that included installation of a Fire Hydrant System in accordance with AS 2419.1:20221 and the Position Statement of FRNSW <i>Fire Hydrant System in existing building or premises</i> dated 12 September 2024. Follow up inspections will be undertaken to ensure the work is completed, addressing this issue.

Ref.	Issue	City response
	Fire Hose Reels	
3	The maintenance tags on some Fire Hose Reels in the car park indicate that the Fire Hose Reels have not been maintained since December 2023, contrary to the requirements of Section 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR2021).	The City's inspection on 26 November 2025 found maintenance tags on some Fire Hose Reels within the carpark that indicate they have not been maintained since December 2023. In response to this, the City issued a NOI on 8 January 2026 that included requirements for the maintenance and certification of fire hose reels. Follow up inspections will be undertaken to ensure the work is completed, addressing this issue.
	Access and egress	
4	The final exit door in the foyer of block 'A' swings against the direction of egress and does not appear to be fitted with a device for holding it in the open position, contrary to the requirements of Clause D3D25 of the National Construction Code (NCC) FRSNW observed that in other blocks the final fire exit door opened against the direction of egress.	The City's inspection on 26 November 2025 found final exit doors in residential foyers and in the carpark swung against the direction of egress and that did not have devices fitted for holding the doors in the open position. In response to this, the City issued a NOI on 8 January 2026 that included requirements for devices to hold doors in the open position for final exit doors that swing against the direction of egress. Follow up inspections will be undertaken to ensure the work is completed, addressing this issue.
5	In the carpark, there are 4 fire exit doors that are not displaying 'Fire exit door – Do not obstruct' contrary to the requirements of D3D28 of the NCC.	The City's inspection on 26 November 2025 found fire exit doors in the carpark that did not display 'Fire exit door – Do not obstruct' In response to this, the City issued a NOI on 8 January 2026 that required signage to fire exit doors.

Ref.	Issue	City response
		Follow up inspections will be undertaken to ensure the work is completed, addressing this issue.
	Smoke Detection and Alarm Systems (SDAS)	
6	The Automatic Smoke Detection and Alarm System did not appear to be capable of operating to the standard of the performance from when it was first designed and installed. In that regard it was noted that the Fire Indicator Panel displayed 'Disabled/Alarm' in Zone 4 beginning on the 15 September 2025. Following the inspection Strata Management were advised of the issue. On October 2025, the Strata manager provided FRNSW with a photo showing that the disablement had been removed.	The City's inspection on 26 November 2025 found that Fire Indicator Panel did not display any faults or isolations, addressing this issue.
7	A service records logbook for the Automatic Smoke Detection and Alarm System was not available on site.	The City's inspection on 26 November 2025 found no service logbook for the Automatic Smoke Detection and Alarm System. In response to this, the City issued a NOI on 8 January 2026 requiring the servicing, maintenance and keeping of a service record logbook of the smoke detection and alarm system. Follow up inspections will be undertaken to ensure the work is completed, addressing this issue.
8	Logbooks associated with the sliding fire doors in the basement carpark indicated that the doors have not been serviced since November 2023.	The City's inspection on 26 November 2025 indicated that the sliding fire doors in the basement have not been serviced since November 2023 In response to this, the City issued a NOI on 8 January 2026 requiring servicing, maintenance and keeping of a service record logbooks for sliding fire doors.

Ref.	Issue	City response
		Follow up inspections will be undertaken to ensure the work is completed, addressing this issue.
	Regulatory requirements	
	Fire Safety Statements	
9	An Annual Fire Safety Statement (AFSS) was not prominently displayed at the premises in accordance with Section 89 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR21).	The City's inspection on 26 November 2025 confirmed no AFSS was displayed. In response to this, the City issued a NOI on 8 January 2026 directing the building owners to display of an AFSS. Follow up inspections will be undertaken to ensure the work is completed, 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. Due to fire safety concerns a NOI was issued on 8 January 2026. After the NOI's representation period and consideration of any responses, a fire safety order may be issued to ensure adequate fire safety systems are in place throughout the building.
8. It is recommended that the Commissioner of FRNSW be informed of the City's decision.

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File Ref. No: FRN25/2701 - BFS25/6088 - 8000044883
TRIM Ref. No: D25/118440
Contact: Senior Firefighter Scott Zucchetto

3 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
RESIDENTIAL PROPERTY
39 DANGAR PLACE, CHIPPENDALE ("the premises")**

Fire and Rescue NSW (FRNSW) received correspondence on 17 July 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 18 July 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:

Essential Fire Safety Measures

Fire Hydrant System

1. A service records logbook for the Fire Hydrant System was not available on site, contrary to Clause 1.16 of Australian Standard (AS) 1851 - 2012.
2. It is noted that the existing hydrant system has been installed in accordance with the requirements of Ordinance 70. The following is the formal position of FRNSW regarding Ordinance 70 Hydrant Systems.

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 3

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When a consent authority (e.g. Council) is assessing the adequacy of an existing fire hydrant system installed in accordance with the provisions of Ordinance 70 and Ministerial Specification 10 (or earlier), FRNSW recommend that the system be upgraded to meet the requirements of AS 2419.1:2021 to facilitate the needs of FRNSW appropriate to firefighting operations.

FRNSW acknowledge that all aspects of AS 2419.1:2021 may not be able to be complied with due to the characteristics and constraints of the existing fire hydrant system and/or building or premises. A bespoke upgrade solution may be required.

Fire Hose Reels

3. The maintenance tags on some Fire Hose Reels in the car park indicate that the Fire Hose Reels have not been maintained since December 2023, contrary to the requirements of Section 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR2021).

Access and egress

4. The final exit door in the foyer of block 'A' swings against the direction of egress and does not appear to be fitted with a device for holding it in the open position, contrary to the requirements of Clause D3D25 of the National Construction Code (NCC).

FRNSW observed that in other blocks the final fire exit door opened against the direction of egress.

5. In the carpark, there are 4 fire exit doors that are not displaying 'Fire exit door – Do not obstruct' contrary to the requirements of D3D28 of the NCC.

Smoke Detection and Alarm Systems (SDAS)

6. The Automatic Smoke Detection and Alarm System did not appear to be capable of operating to the standard of performance from when it was first designed and installed. In that regard it was noted that the Fire Indicator Panel displayed 'Disabled/ Alarm' in Zone 4 beginning on the 15/09/2025. Following the inspection Strata Management were advised of the issue.

On 20 October 2025, the Strata manager provided FRNSW with a photo showing that the disablement had been removed.

7. A service records logbook for the Automatic Smoke Detection and Alarm System was not available on site, contrary to the requirements of Clause 1.16 of AS1851:2012.

Compartmentation

8. Logbooks associated with the sliding fire doors in the basement carpark indicated that the doors have not been serviced since November 2023, contrary to the requirements of Section 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR21), and Section 1.16 of AS 1851-2012.

Regulatory Requirements

Fire Safety Statements

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

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

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Review items 1 to 9 of this report and conduct an inspection.
- b. Address any other deficiencies identified on "the premises".

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.

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.
- Sole Occupancy Units were not accessible.

Please do not hesitate to contact Senior Firefighter Scott Zucchetto 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 refer to file reference FRN25/2701 - BFS25/6088 - 8000044883 regarding any correspondence concerning this matter.

Yours faithfully



Connor Hackett
Building Surveyor
Fire Safety Compliance Unit