

Attachment B

**Inspection report
244-248 William Street, Potts Point**



Figure 1: 244-248 William Street, Potts Point, viewed from the south-west

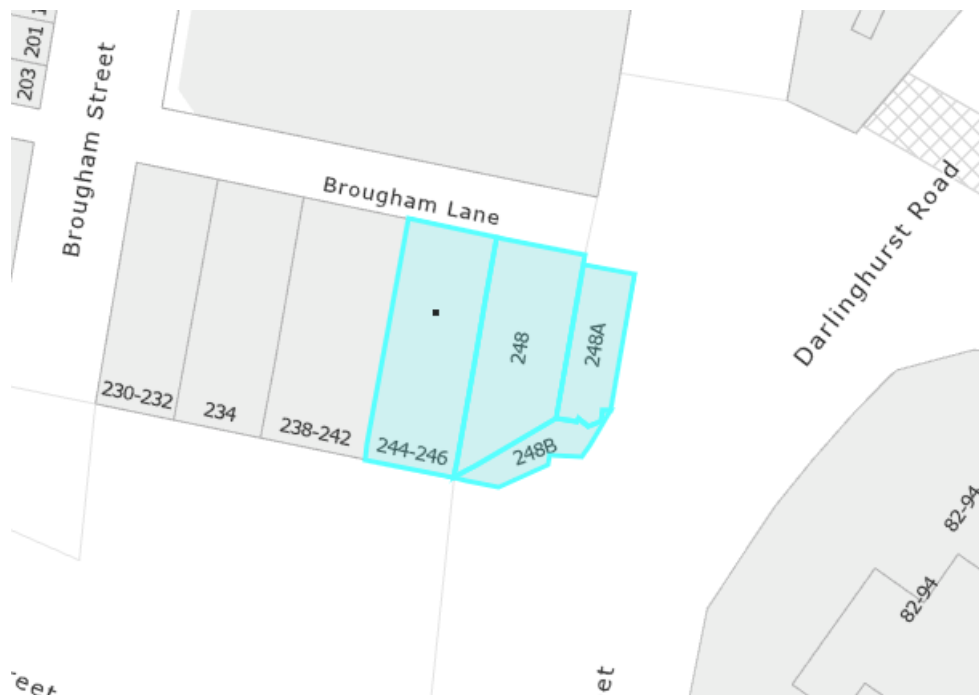


Figure 2: Location map of 244-248 William Street, Potts Point

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: Tereza Zeljkovic

Date: 1 July 2026

Premises: 244-248 William 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 8 April 2026 with respect to matters of fire safety.
2. The premises consists of a 7 storey heritage building, used as a bar and nightclub, known as Kings Cross Hotel.
3. The City inspected the premises on 17 April 2026, accompanied by the hotel manager. This inspection identified deficiencies in fire safety. To address this, a Notice of Intention to Give a Fire Safety Order (NOI) has been issued under the Act.

Chronology

Date	Event
8 April 2026	FRNSW correspondence was received.
17 April 2026	The City inspected the premises identifying deficiencies in fire safety.
1 May 2026	The City reinspected the premises to assess fitout and wall lining works. During the reinspection, additional fire safety deficiencies associated with the fitout and wall lining works were identified.
10 June	A NOI was drafted and referred to the City's planning team for review, given the building's heritage listing.
1 July 2026	After considering the Planning Team's comments, the City issued a NOI.

Fire and Rescue NSW report

4. Fire and Rescue NSW conducted an inspection of the subject premises on 10 February 2026.

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	
1.	Automatic Smoke Detection and Alarm System (ASDAS)	
	Fire panel fault – level 5	During the City's inspection on 17 April 2026, it was noted that this matter had been already rectified. The panel showed no faults, addressing this issue.
2.	Fire Hydrant System	
A.	Fire hydrant booster not locked	During the City's inspection on 17 April 2026, it was noted that this matter had been already rectified locked with strap and pad lock, addressing this issue.
B	Fire hydrant cabinet door, do not affix open	During the City's inspection on 17 April 2026, it was observed that hydrant cabinet doors were not capable of being held open. To address this, the City issued a NOI on 1 July 2026 attaching a Fire Safety Order requiring doors to be capable of being held open, addressing this issue.
C	Booster assembly area requires 'test pressure' signage	During the City's inspection on 17 April 2026, it was observed that test pressure signage was not provided. To address this, the City issued a NOI on 1 July 2026 attaching a Fire Safety Order requiring signage, addressing this issue.

Ref.	Issue	City response
D	Booster assembly area requires 'Boost pressure' signage	During the City's inspection on 17 April 2026, it was observed that boost pressure signage was not provided. To address this, the City issued a NOI on 1 July 2026 attaching a Fire Safety Order requiring signage, addressing this issue.
E	(i). Pump pressure - Gauge or digital readout display required	During the City's inspection on 17 April 2026, it was observed that a pressure gauge was not provided. To address this, the City issued a NOI on 1 July 2026 attaching a Fire Safety Order requiring a pressure gauge to be installed, addressing this issue.
	(ii). Warning sign required	During the City's inspection on 17 April 2026, it was observed that warning signage was not provided. To address this, the City issued a NOI on 1 July 2026 attaching a Fire Safety Order requiring warning signage, addressing this issue.
3.	Hydrant pump room	
A	Access via Fire stair – signage and strobe light required	During the City's inspection on 17 April 2026, it was observed that pump room signage was not provided. To address this, the City issued a NOI on 1 July 2026 attaching a Fire Safety Order requiring signage, addressing this issue. A strobe light is not required as the building's hydrant system is designed and built to the 1994 hydrant standard, which does not require a strobe light.
B	Fire door required to entry	During the City's inspection on 17 April 2026, it was observed that this matter had been already rectified -

Ref.	Issue	City response
		the fire door set was present - addressing this issue.
C	Storage of rubbish	During the City's inspection on 17 April 2026, it was observed that this matter had already been rectified - storage/ goods cleared - addressing this issue.
4	Automatic fire suppression system	
A	Sprinkler coverage issue - Level 5 outdoor	During the City's reinspection on 23 June 2026, additional, newly installed, sprinkler coverage was observed. The City issued a NOI on 1 July 2026 attaching a Fire Safety Order requiring the certification of the newly installed sprinkler coverage, to confirm this issue is addressed.
	Regulatory requirements – fire safety statements	
5	A current Annual Fire Safety Statement (AFSS) was not displayed	During the City's inspection on 17 April 2026, an interim AFSS was observed. To address this, the City issued a NOI on 1 July 2026 attaching a Fire Safety Order which requires a final fire safety certificate to be prominently displayed, 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 Notice of Intention (NOI) to give a fire safety order under the Act was issued on 1 July 2026. After the NOI's representation period expires and any received representations are considered, 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 Commission of FRNSW be informed of the City's decision.

OFFICIAL



File Ref. No: FRN14/87 - BFS25/4661 – 8000043765
TRIM Ref. No: D26/53211
Contact: Ryan Maestri

8 April 2026

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
KINGS CROSS HOTEL
244-248 WILLIAM STREET, POTTS POINT (hereafter “the premises”)**

Fire and Rescue NSW (FRNSW) received correspondence 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 10 February 2026.

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:

Provisions for Fire Safety

Automatic Smoke Detection and Alarm System (ASDAS)

1. The Fire Brigade Panel (FBP) indicated 1 fault relating to the ASDAS covering Level 5.

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 4

OFFICIAL

OFFICIAL

Following consultation with the manager, FRNSW received photographic evidence showing that the fault had been rectified.

Fire Hydrant System

2. The hydrant booster assembly:
 - A. The isolation valve at the fire hydrant booster located between the feed hydrants and boost inlets was not locked in the open position, contrary to the requirements of Clause 8.7.1 of AS 2419.1-2021.
 - B. The doors to the fire hydrant cabinet were not capable of being held in the open position, contrary to the requirements of Clause 11.2.2 of AS 2419.1-2021.
 - C. Signage indicating the test pressure was not provided at the fire hydrant booster, contrary to the requirements of Clause 11.3.4.1 of AS 2419.1-2021.
 - D. Signage indicating the boost pressure was not provided at the fire hydrant booster assembly, contrary to the requirements of Clause 11.3.4.2 of AS 2419.1-2021.
 - E. The fire hydrant system schematic shown on the fire hydrant block plan indicates that the fire hydrant booster assembly is connected in series with the fire hydrant pump. In this regard:
 - i. A 150 mm diameter liquid filled gauge or digital readout display indicating the pressure at the pump discharge was not installed at the booster assembly, contrary to the requirements of Clause 6.8.2 of AS 2419.1-2021.
 - ii. Warning signage was not installed at the booster assembly, contrary to the requirements of Clause 11.3.7.1 of AS 2419.1-2021.
3. The hydrant pumproom:
 - A. Access to the fire hydrant pumproom is via a fire-isolated stair discharging to Brougham Lane. Signage is not provided to the outside of the discharge door to indicate that access to the pumproom is via this stair.

Additionally, a red strobe was not provided to denote the access to the pumproom, contrary to the requirements of Clause 6.11.1 of AS 2419.1-2021.
 - B. The doorway leading to the fire hydrant pumproom from the fire-isolated stair was not protected with a fire-rated doorset, contrary to the requirements of Clause C4D9 of the National Construction Code Volume 1 2022 (NCC).

OFFICIAL

- C. The fire hydrant pumproom was used for the storage of rubbish and other objects, preventing access around the pumpset for firefighting operations.

Following consultation with the manager, FRNSW received photographic evidence showing that the pumproom had been cleared of storage.

Automatic Fire Suppression System

4. The covered outdoor area on level 5 was not provided with sprinkler coverage, contrary to the requirements of AS 2118.1-1999.

Regulatory Requirements

Fire Safety Statements

5. A current Annual Fire Safety Statement was not displayed in a prominent location within the building or provided to FRNSW contrary to the requirements of Section 89 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

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

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Review item no. 1 through to item no. 5 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. FRNSW refers this matter to the Council as the appropriate regulatory authority and 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.

Please do not hesitate to contact Ryan Maestri 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

OFFICIAL

FRN14/87 - BFS25/4661 – 8000043765 for any future correspondence concerning this matter.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Maestri', is positioned above the printed name.

Ryan Maestri
Senior Building Surveyor
Fire Safety Compliance Unit