

Attachment H

**Inspection report
27-39 Abercrombie Street, Chippendale**



Figure 1: 27-39 Abercrombie Street, Chippendale viewed from the north-west



Figure 2: Location map of 27-39 Abercrombie 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: 26 May 2026

Premises: 27-39 Abercrombie Street, Chippendale

Executive summary

1. The City received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises dated 12 May 2026 with respect to matters of fire safety.
2. The premises consists of a 4 storey building used as offices with ground floor café.
3. The City inspected the premises on 25 May 2026, accompanied by the property manager. This inspection identified fire safety provisions requiring maintenance, which can be addressed under the City's instruction.

Chronology

Date	Event
12 May 2026	FRNSW correspondence received.
25 May 2026	The City inspected the premises on 25 May 2026 and identified fire safety deficiencies that need to be addressed.
11 June 2026	The City issued a corrective action letter requiring the identified deficiencies to be rectified in three stages. Stage 1 works must be completed by 14 July 2026, Stage 2 works by 12 August 2026, and Stage 3 works by 12 September 2026.
13 July 2026	The City reinspected the building confirming all stage 1 and 2 works had been completed.

Fire and Rescue NSW report

4. Fire and Rescue NSW conducted an inspection of the subject premises on 7 April 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	
	Fire Resistance	
1.	The floors throughout the premises are constructed of timber and FRNSW believe they are unlikely to achieve the FRL required.	The City's inspection on 25 May 2026 found the floors above ground level were constructed of timber. Given the whole building is protected by an automatic fire suppression system, it is not considered reasonable to request the floors to be upgraded. As a result, no further action required.
2.	Service penetrations in the wall above Unit 104 on Level One that were not been protected against fire spread.	The City's inspection on 25 May 2026 found service penetrations for electrical wiring and other services were not properly protected in the building and that penetrations through fire resistive construction had not been adequately fire stopped. In response, the City issued a corrective action letter on 11 June 2026 requiring service penetrations to be rectified by 12 September 2026. An inspection will be undertaken to confirm the work has been completed, addressing this issue.
3.	The self-closing device installed on the fire door on level one was broken and the door did not return to the fully closed position.	The City's inspection on 25 May 2026 observed a defective self-closing device on level 1 fire door. In response the City issued a corrective action letter on 11 June

Ref.	Issue	City response
		2026 required the self-closer to be repaired by 12 August 2026. The City's reinspection on 13 July found this work had been completed, addressing this issue.
4.	A number of fire doors in the premises were chocked open preventing them from self-closing.	During the City's inspection on 25 May 2026, it was noted that this matter had been rectified, addressing the issue.
	Egress	
5.	The double doors at the ground level leading to Abercrombie Street could not be opened with a downward action lever handle. It is unknown whether these doors will open automatically on a fire trip. Furthermore, the front doors in the premises swing against the path of travel.	The City's inspection on 25 May 2026 found the ground level doors to Abercrombie Street could not be opened with a downward action lever, may not open automatically on fire trip and open against the path of travel. In response, the City issued a corrective action letter on 11 June 2026 requiring the doors to be rectified by 12 August 2026. The City's reinspection on 13 July found this work had been completed, addressing this issue.
6.	Travel distance to the exit from Unit 308 was measured at approximately 13.5m.	The approved use of the building is commercial (offices and retail) in accordance with Development Consent DA-668/2001 which describe the approved use of the building for commercial use of upper floors (16 tenancies) of building, delete approved residential uses within building. The building code permits 20 meters distance to exit in this class of building and as a result, no further action required.
	Fire Hydrant System	

Ref.	Issue	City response
7.	The boost inlets on the hydrant booster assembly on O'Connor Street have been damaged and therefore will be unable to be used in the case of a fire.	During the City's inspection on 25 May 2026, it was observed that booster inlets had been damaged. In response, a corrective action letter was issued on 11 June 2026 requiring the booster to be fixed by 12 August 2026. The City's reinspection on 13 July found this work had been completed, addressing this issue.
8.	The fire hydrant valve in the fire stairs on level one is installed less than 750mm above floor level.	The City's inspection on 25 May 2026 found hydrant valve lower than 750mm above the ground. In response, the City issued a corrective action letter on 11 June 2026 requiring the hydrant valve be lowered by 12 August 2026. The City's reinspection on 13 July found this work had been completed, addressing this issue.
	Emergency Lighting	
9.	There was no emergency lighting in the lobby.	The City's inspection on 25 May 2026 confirmed there was no emergency lighting in the lobby. In response, the City issued a corrective action letter on 11 June 2026 requiring emergency lighting to be provided by 12 August 2026. The City's reinspection on 13 July found this work had been completed, addressing this issue.
	Exit Signs	
10.	There was no exit sign installed in the lobby area above the front double doors.	The City inspection on 25 May 2026 confirmed the lobby area required an exit sign. In response, the City issued a corrective action letter on 11 June

Ref.	Issue	City response
		2026 requiring the exit sign be provided by 12 August 2026. The City's reinspection on 13 July found this work had been completed, addressing this issue.
	Other Findings	
11.	The building appeared to have originally been constructed as a Class 2 building. It was noted that most of the Sole Occupancy Units in the premises appeared to be being used as offices. Council may need to determine the approved use of the building.	The approved use of the building is commercial (offices and retail) in accordance with Development Consent DA-668/2001 which describe the approved use of the building for commercial use of upper floors (16 tenancies) of building, delete approved residential uses within building. During the City's inspection on 25 May 2026, it was noted that the mezzanine floors within unit 307 was being used as residential purposes. In response, the City issued a corrective action letter on 11 June 2026 requiring the building use to comply with that approved by 14 July 2026. The City's reinspection on 13 July found residential use had ceased, 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 11 June 2026 to the building owners to address the fire safety deficiencies identified 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: FRN26/1226 - BFS26/2325 – 7000001060
TRIM Ref. No: D26/70458
Contact: Inspector Alex Cross

12 May 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
THE ABERCROMBIE
27-37 ABERCROMBIE STREET CHIPPENDALE (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 7 April 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

On inspection of the premises FRNSW were unable to locate the stuck fire exit door as detailed in the fire safety concern.

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

Provisions for Fire Safety

Fire Resistance

1. The floors throughout the premises are constructed of timber and FRNSW believe they are unlikely to achieve the FRL required by Specification 5 of the

Fire and Rescue NSW

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Fire Safety Compliance Unit

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National Construction Code 2022, Volume 1 Building Code of Australia (NCC).

2. Service penetrations in the wall above Unit 104 on Level One that were not been protected against fire spread contrary to the requirements of C4D15 of the NCC.
3. The self-closing device installed on the fire door on level one was broken and the door did not return to the fully closed position contrary to the requirements of C4D9 of the NCC.
4. A number of fire doors in the premises were chocked open preventing them from self-closing contrary to the requirements of C4D9 and C4D12 of the NCC.

Egress

5. The double doors at the ground level leading to Abercrombie Street could not be opened with a downward action lever handle contrary to the requirements of D3D26 of the NCC. It is unknown whether these doors will open automatically on a fire trip.

Furthermore, the front doors in the premises swing against the path of travel contrary to the requirements of D3D25 of the NCC.

6. Travel distance to the exit from Unit 308 was measured at approximately 13.5m contrary to the requirements of D2D5 of the NCC.

Fire Hydrant System

7. The boost inlets on the hydrant booster assembly on O'Connor Street have been damaged and therefore will be unable to be used in the case of a fire.
8. The fire hydrant valve in the fire stairs on level one is installed less than 750mm above floor level contrary to the requirements of 5.3.2 of AS 2419.1-1994.

Emergency Lighting

9. There was no emergency lighting in the lobby contrary to the requirements of E4D2 of the NCC.

Exit Signs

10. There was no exit sign installed in the lobby area above the front double doors contrary to the requirements of E4D5 of the NCC.

Other Findings

11. The building appeared to have originally been constructed as a Class 2 building. It was noted that most of the Sole Occupancy Units in the premises appeared to be being used as offices. Council may need to determine the approved use of the building.

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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. 11 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 Inspector Alex Cross 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 FRN26/1226 - BFS26/2325 – 7000001060 for any future correspondence concerning this matter.

Yours faithfully



Ryan Maestri
Senior Building Surveyor
Fire Safety Compliance Unit