

Attachment G

**Inspection Report
679-695 Bourke Street, Surry Hills**



Figure 1: 679-695 Bourke Street, Surry Hills facing west from Bourke Street

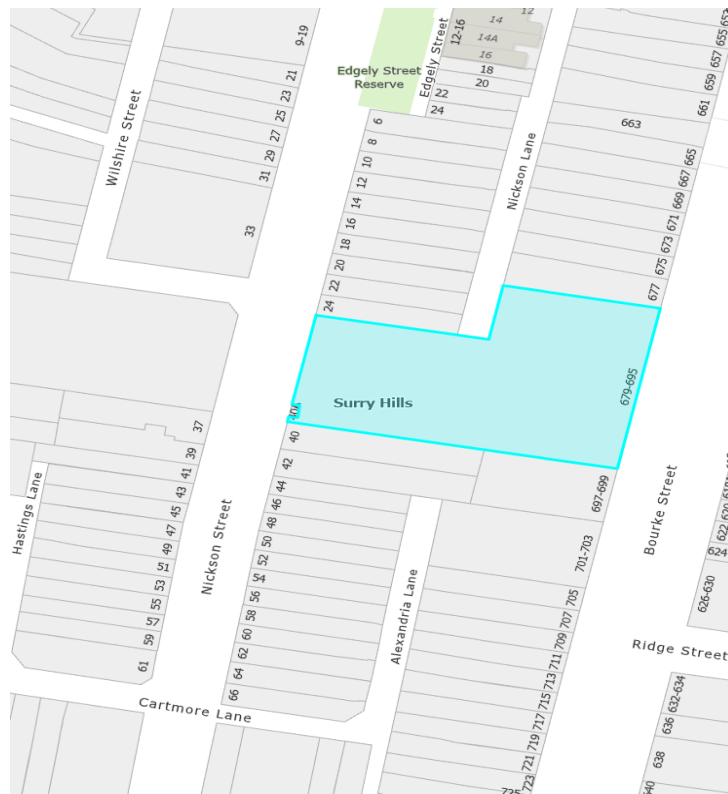


Figure 2: Location map of 679-695 Bourke Street, Surry Hills

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: 15 September 2025

Premises: 679-695 Bourke Street, Surry Hills

Executive Summary

1. The City received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises dated 18 August 2025 with respect to matters of fire safety.
2. The premises consists of a eight storey building used for residential.
3. The City inspected the premises on 9 September 2025. 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
18 August 2025	FRNSW correspondence received
9 September 2025	The City inspected the premises on 9 September 2025. The following items were noted: 1. No sprinkler system installed in the car park. The car park contained 53 car spaces. 2. There is no working pressure signage at the Fire Brigade Booster assembly. 3. There is no pressure gauge on the most hydraulically disadvantaged hydrant on Level 7. 4. The booster connection on Bourke Street is not separated from the building with a construction giving the appropriate Fire Resistance Level. 5. The service tag provided to the booster assembly on Bourke Street was stamped February 2024,

Date	Event
	indicating the system had not receiving routine maintenance. 6. The external face of the doors to the hydrant booster assembly enclosure did not have a signage stating, Fire Hydrant Booster Assembly’. 7. Fire Hose Reels (FHR’s) throughout the building were located more than 4m from exits contrary to Clause E1D3 of the National Construction Code (NCC) 2022. 8. The exit door that leads out of the ground floor foyer of the building towards Bourke Street does not swing in the direction of egress. 9. Additional PFEs to be installed in all public corridors. 10. Fire doors were not tagged in accordance with AS/NZS 1905.1 – 2005; 11. Rear windows of ground floor apartment open on the exit path. 12. Penetrations in fire resistive building elements for electrical wiring and other services within the building are not properly protected by such approved means so as to prevent the spread of fire. 13. A non-continuous handrail installed to the stairway connecting levels 1 & 8 was not compliant with the requirements of the current NCC. 14. The fire indicator panel (FIP) did not show any faults. 15. The car park fire compartment accommodates a large number of [more than 40] motor vehicles and does not have appropriate fire measures to control the development and spread of fire in the event of an outbreak of fire within this area. 16. The internal doors providing access to hydrant pumproom was not fitted with a lock compatible with FRNSW access key (003 key). 17. A block plan of the fire hydrant system had not been provided within the pumproom, (within the pumproom on ground floor adjacent to car park entry), contrary to the requirements of Clause 7.11 of AS 2419.1-2005.

Date	Event
	18. The fire safety statement is prominently displayed at the premises and is current. 19. All treads and landings of the existing Stairways were not provided with a non-slip finish or an adequate non-skid strip near the edge of the nosings/landing. 20. Illuminated exit sign were not installed above all required exit doors.
16 September 2025	A Notice of Intention to Issue an Order is being prepared and will be issued.

Fire and Rescue NSW Report

4. Fire and Rescue NSW conducted an inspection of the subject premises on 24 July 2025.

Issues

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

Ref.	Issue	City response
1	Essential Fire Safety Measures	
1A	Fire Hydrant System	
	i. There is no working pressure signage at the Fire Brigade Booster assembly on Bourke Street, contrary to the requirements of Clause 5.6.7 of AS2419.1-1994.	This issue will form part of the Notice of Intention to serve an Order.
	ii. There is no pressure gauge on the most hydraulically disadvantaged hydrant on Level 7, contrary to the requirements of Clause 5.4.2 of AS 2419.1-1994.	This issue will form part of the Notice of Intention to serve an Order.
	iii. FRNSW do not believe that the booster connection on Bourke Street is separated from the building with a construction giving the appropriate Fire Resistance Level (FRL), contrary to the requirements of Clause 5.6.3(c) of AS 2419.1-1994.	This issue will form part of the Notice of Intention to serve an Order.

Ref.	Issue	City response
	iv. The service tag provided to the booster assembly on Bourke Street was stamped February 2024, indicating the system had not receiving routine maintenance, contrary to the requirements of Clause 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (the DCFS Regulation) and Section 4.2 of AS 1851-2012.	This issue will form part of the Notice of Intention to serve an Order.
1B	Sprinkler System	
	i. The building has a rise in stories of more than 4 and has not been provided with a sprinkler system, contrary to the requirements of Clause E1D4 and E1D6 of the NCC.	The building was constructed in 1974. As such, the design and installation shall necessarily adhere to the specifications in the building requirements legislatively in-force at that time. BCA 2022 wasn't formally adopted in NSW till 1 May 2023, with Ordinance 70, BCA 1988 and 1990 being Building Code compliance pathway were the construction code at the time of construction of building. BCA 1996 Amdt 1 highlighted that the sprinkler system shall be installed in all classes of building more than 25 meters in effective height. It wasn't until BCA 2022 that this requirement was altered to match its current requirement (sprinkler system). Therefore, there was no such requirement for the installation of sprinkler system under Ordinance 70 for the building less than 25 meters in effective height at the time of construction.
1C	Fire Hose Reel (FHR)	
	FHR's throughout the building were located more than 4m from exits contrary to Clause E1D3 of the National Construction Code (NCC) 2022.	This issue will form part of the Notice of Intention to serve an Order.

Ref.	Issue	City response
2	Access and Egress	
2A	The exit door that leads out of the ground floor foyer of the building towards Bourke Street does not swing in the direction of egress, contrary to the requirements Clause D3D25 of the NCC.	This issue will form part of the Notice of Intention to serve an Order.
3	General	
3A	At the time of the inspection, it was noted that the Fire Indicator Panel (FIP) was in 'System Normal' mode, and that fire contractors had completed the monthly inspection on the 16th of July 2025 and recorded it in the logbook.	At the time of inspection, The FIP did not show any fault.

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

As a result of site inspections undertaken by the Council investigation officer:

7. It is recommended Council exercise its powers to issue a Notice of Intention (NOI) for a fire safety order under the Act to address the identified fire safety deficiencies. 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: FRN25/1229 - BFS25/2485 - 8000042050
TRIM Ref. No: D25/093360
Contact: Station Officer Alex Cross

18 August 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
679 BOURKE STREET
SURRY HILLS ("the premises")**

Fire and Rescue NSW (FRNSW) received correspondence concerning the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- *Fire Alarm panel is disconnected*

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 24 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.

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

- A general overview of the building was obtained without using the development consent conditions or approved floor plans as a reference.
- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.

Fire and Rescue NSW

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www.fire.nsw.gov.au

Community Safety Directorate
Fire Safety Compliance Unit

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Greenacre NSW 2190

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Page 1 of 3

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COMMENTS

The following items were identified during the inspection:

1. *Essential Fire Safety Measures*

1A. Fire Hydrant System

- A. There is no working pressure signage at the Fire Brigade Booster assembly on Bourke Street, contrary to the requirements of Clause 5.6.7 of AS2419.1-1994.
- B. There is no pressure gauge on the most hydraulically disadvantaged hydrant on Level 7, contrary to the requirements of Clause 5.4.2 of AS 2419.1-1994.
- C. FRNSW do not believe that the booster connection on Bourke Street is separated from the building with a construction giving the appropriate Fire Resistance Level (FRL), contrary to the requirements of Clause 5.6.3(c) of AS 2419.1-1994.
- D. The service tag provided to the booster assembly on Bourke Street was stamped February 2024, indicating the system had not receiving routine maintenance, contrary to the requirements of Clause 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (the DCFS Regulation) and Section 4.2 of AS 1851-2012.

1B. Sprinkler System – The building has a rise in stories of more than 4 and has not been provided with a sprinkler system, contrary to the requirements of Clause E1D4 and E1D6 of the NCC.

1C. Fire Hose Reel (FHR)

- A. FHR's throughout the building were located more than 4m from exits contrary to Clause E1D3 of the National Construction Code (NCC) 2022.

2. *Access and Egress*

2A. The exit door that leads out of the ground floor foyer of the building towards Bourke Street does not swing in the direction of egress, contrary to the requirements Clause D3D25 of the NCC.

3. *General*

3A. At the time of the inspection, it was noted that the Fire Indicator Panel was in 'System Normal' mode, and that fire contractors had completed the monthly inspection on the 16th of July 2025 and recorded it in the logbook.

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

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Review items 1 to 2 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.
- The following parts of the premises were not able to be inspected:
 - Hydrant pump room
 - The basement carpark
 - Sole-occupancy units

Please do not hesitate to contact Station Officer Alex Cross 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 FRN25/1229 - BFS25/2485 - 8000042050 regarding any correspondence concerning this matter.

Yours faithfully



Conor Hackett
Senior Building Surveyor
Fire Safety Compliance Unit