

Attachment B

**Inspection Report
144 Victoria Street, Potts Point ('Chili Blue
Backpackers')**



Figure 1: 144 Victoria Street, Potts Point viewed from the west

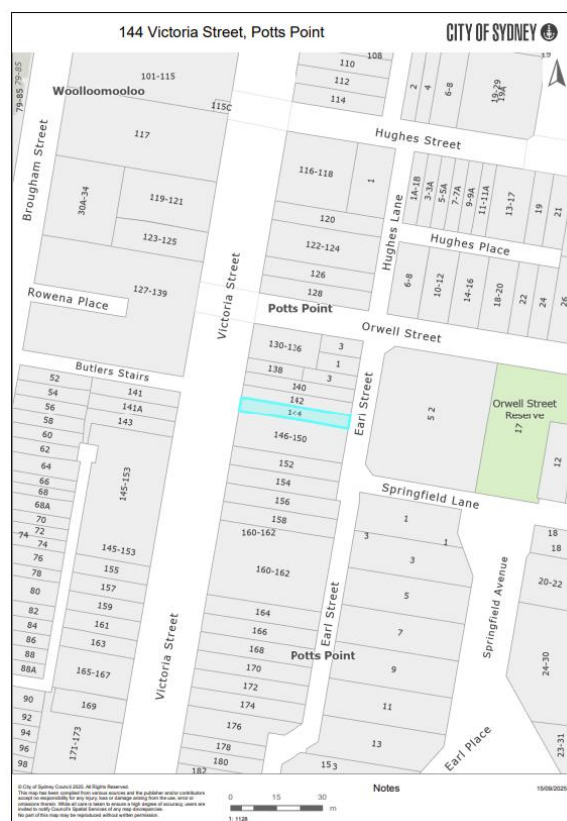


Figure 2: Location map of 144 Victoria Street, Potts Point

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: Ashley Host

Date: 15 September 2025

Premises: 144 Victoria Street, Potts Point ('Chili Blue Backpackers')

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 2 July 2025 with respect to matters of fire safety.
2. The premises consists of a 4-storey building used for backpackers' accommodation.
3. The City inspected the premises on 7 August 2025, accompanied by Mr Angus Connie. This inspection identified deficiencies in fire safety. To address this, a Notice of Intention (NOI) to give a fire safety order has been issued under the Act.

Chronology

| Date | Event |
|------------------|--|
| 2 July 2025 | FRNSW correspondence received |
| 7 August 2025 | The City inspected the premises |
| 8 September 2025 | Notice of Intention to give a fire safety order issued |

Fire and Rescue NSW Report

4. Fire and Rescue NSW conducted an inspection of the subject premises on 27 June 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 | |
| | Automatic Fire Suppression System | |
| 1 | The sprinkler system single inlet fire brigade booster connection is obstructed by the gas meter. | Require booster connection to be reorientated to allow sufficient room for connection of hoses. This issue has been addressed in the NOI. |
| 2 | Sleeping pods are installed near sprinkler heads. | Require sleeping pods to be removed so as not to impede operation of sprinkler system. This issue has been addressed in the NOI. |
| | Portable Fire Extinguishers | |
| 3 | Extinguishers service/label tags were last stamped August 2024 indicating the system had not been receiving routine service. | Rectified prior to the inspection. Service tags were stamped June 2025 at time of inspection indicating recent servicing. |
| | Fire Hose Reels | |
| 4 | Fire hose reels service/label tags were last stamped August 2024 indicating the system had not been receiving routine service. | Rectified prior to the inspection. Service tags were stamped June 2025 at time of inspection indicating recent servicing. |
| | Access and Egress | |
| 5 | One emergency light was missing a cover indicating routine maintenance not being carried out. | No action proposed. Annual certification of essential measures is current for the premises. Light cover is aesthetic and does not impact on operation of service. |
| 6 | Pictogram on final exit sign not provided. | Require exit sign to be relocated and modified to comply with NCC. |

| Ref. | Issue | City response |
|---|--|--|
| | | This issue has been addressed in the NOI. |
| Smoke Detection and Alarm System | | |
| 7 | Building occupant warning speaker damaged | Require occupant warning system speakers to be repaired and certified compliant. This issue has been addressed in the NOI. |
| Compartmentation and Separation | | |
| 8 | Fire door fails to return to fully closed position due to WIFI cable running through doorway. | Require obstructions to operation of fire doors to be removed. This issue has been addressed in the NOI. |
| 9 | Manual call point used as emergency door release missing components. | Require manual call point release to be repaired. This issue has been addressed in the NOI. |
| 10 | Hold-open device to fire door broken | Require electro-magnetic hold open device to be repaired. This issue has been addressed in the NOI. |
| General | | |
| 11 | Multiple rooms included pod style accommodation: <ul style="list-style-type: none"> - Pods appear lockable - Pods may have increased the approved number of occupants per room - FRNSW believe provisions for sleeping pods are inadequate - Sleeping pods impede egress as they impede on exit doorways | Require sleeping pods to be removed. This issue has been addressed in the NOI. Sleeping pods impede egress, impede the operation of the sprinkler system and are lined with materials not compliant with NCC provisions and have been installed without consent where prior development consent is required. |
| 12 | Lithium-ion batteries being charged in hallways. | No batteries were being charged at time of inspection. Premises prohibits charging of batteries. Regular maintenance to be managed by property owner. |
| 13 | Evacuation plans not indicative of correct layout and installed in wrong locations. | Require new evacuation plans to be drafted and installed throughout premises. This issue has been addressed in the NOI. |

| Ref. | Issue | City response |
|------|-------|---------------|
| | | |

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 Notice of Intention (NOI) to give a fire safety order under the Act was issued 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. At the time of then inspection there were no lithium batteries being charged in the hallways. The manager was informed of the FRNSW concerns and will be managed in house.
9. It is recommended that the Commissioner of FRNSW be informed of the City's decision.

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File Ref. No: FRN25/1882 - BFS25/4129 - 8000043359
TRIM Ref. No: D25/74520
Contact: Station Officer Kurt Ingle

2 July 2025

General Manager
City of Sydney
GPO Box 1591
SYDNEY NSW 2001

Email: council@cityofsydney.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT
URBAN NOMADS
144 VICTORIA STREET POTTS POINT ("the premises")**

Fire and Rescue NSW (FRNSW) received correspondence on 23 June 2025 concerning the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated in part that:

- *Out-of-date fire safety equipment – Including extinguishers and alarms that had not been properly maintained or replaced in accordance with required standards.*
- *Incorrectly positioned or inaccessible fire equipment – Several critical pieces of equipment were not readily available in emergency situations due to improper placement or obstruction.*
- *Blocked or inaccessible fire exits – Structural changes and hoarding of rubbish in key areas resulted in blocked egress paths, making safe evacuation impossible in some parts of the building.*
- *Newly installed accommodation pods – I am particularly concerned about a number of new "pods" that have recently been installed. These units:*
 - *Lack proper ventilation, raising concerns over smoke inhalation risk.*
 - *Appear to be non-compliant with standard fire safety codes.*

Fire and Rescue NSW

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- *Have been constructed in a way that may interfere with the operation of the existing sprinkler system. No staff members on site have been given formal fire safety training and many guests are at risk of a hazard.*

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 27 June 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.

COMMENTS

The following items were identified during the inspection:

Provisions for Fire Safety

Automatic Fire Suppression System

1. The single inlet fire brigade booster connection for the sprinkler system was obstructed by the gas meter contrary to the requirements of Clause 7.3 Australian Standard (AS) 2419.1-2005.
2. The sleeping pods (Comment 11) are installed in close proximity of the sprinkler heads, less than 500 mm, contrary to the requirements of Clause 5.5.7 of AS 2118.1-2006.

Portable Fire Extinguishers

3. Portable fire extinguishers had service label/tags that were last stamped in August 2024, indicating the system had not been receiving routine maintenance in accordance with Section 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR21).

Fire Hose Reels

4. Fire Hose Reels had service label/tags that were last stamped in August 2024, indicating the system had not been receiving routine maintenance in accordance with Section 81 of the EPAR21.

Access and Egress

5. The emergency light outside No. 71 was missing a light cover indicating maintenance is not being carried out contrary to the requirements of Section 81 of EPAR21.

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6. The pictogram on the final exit sign in No. 144 to Victoria Street was not present, contrary to the requirements of Section E4D8 of the National Construction Code 2022, Volume 1 Building Code of Australia (NCC).

Smoke Detection and Alarm System (SDAS)

7. The speaker outside room No. 80 believed to be part of the Building Occupant Warning System (BOWS) was damaged. FRNSW could not determine if it would operate to alert occupants to an emergency.

Fire Resistance

Compartmentation and Separation

8. The fire door in the hallway outside room No. 75 failed to return to the fully closed position due to WIFI cables inside the door jamb, contrary to the requirements of Clause C4D6 of the NCC.
9. The manual call point (White) used as an emergency door release between the sleeping accommodation and the shared kitchen area had been operated as the frangible glass element was broken. The electromagnetic locking mechanism of the door appeared to be missing components. FRNSW could not determine if this door was to remain closed due to maintain compartmentation and separation requirements.
10. The electro-magnetic hold open device on the door in the corridor near room No. 85 showed signs of physical damage. FRNSW was unable to determine if the door would release to the closed position.

General

11. Multiple rooms within the premises included pod style sleeping accommodation. Within Room No. 84, FRNSW observed,
 - A. 6 sleeping pods configured in a row of 3 with 2 sleeping pods on top of each other. Each pod appeared to be lockable.
 - B. FRNSW are unable to determine if the installation of the sleeping pods have increased the approved number of occupants within the building.
 - C. FRNSW could not determine if the pods have been approved by City of Sydney Council and believe that the provisions for fire safety for the Pod sleeping arrangement are inadequate.
 - D. The SOU door when open, may create an obstruction to occupants evacuating the room.
12. Lithium-Ion Batteries removed from E-bikes that were being charged within hallways. There were 2 charging outside room No. 91 and 2 charging at the base of the stairs on the ground floor. This creates a large evacuation risk for residents of the accommodation in paths of egress.

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13. Several evacuation plans within the premises were placed on the wrong walls, orientated incorrectly and "YOU ARE HERE" points were not shown contrary to the requirements of Clause 3.5.4 of AS 3745-2010. Other observations,
- A. All floors were shown on each evacuation plans potentially disorientating evacuees.
 - B. The room numbering on the evacuation plans was different to the room numbering. FRNSW believe room 88 was shown as room 18 on the plans.
 - C. The evacuation plans appeared discoloured, and no revision dates were displayed. The plan identifies the premises as Chilli Blue Backpackers and along with the incorrect room numbers would indicate the plans are not current.

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

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Review items 1 to 13 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.

Please do not hesitate to contact Station Officer Kurt Ingle 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 FRN25/1882 - BFS25/4129 - 8000043359 regarding any correspondence concerning this matter.

Yours faithfully



Paul Scott
Team Leader
Fire Safety Compliance Unit