

Attachment F

**Inspection Report
37-43 Bay Street, Glebe**



Figure 1: 37-43 Bay Street, Glebe, viewed from the south-east

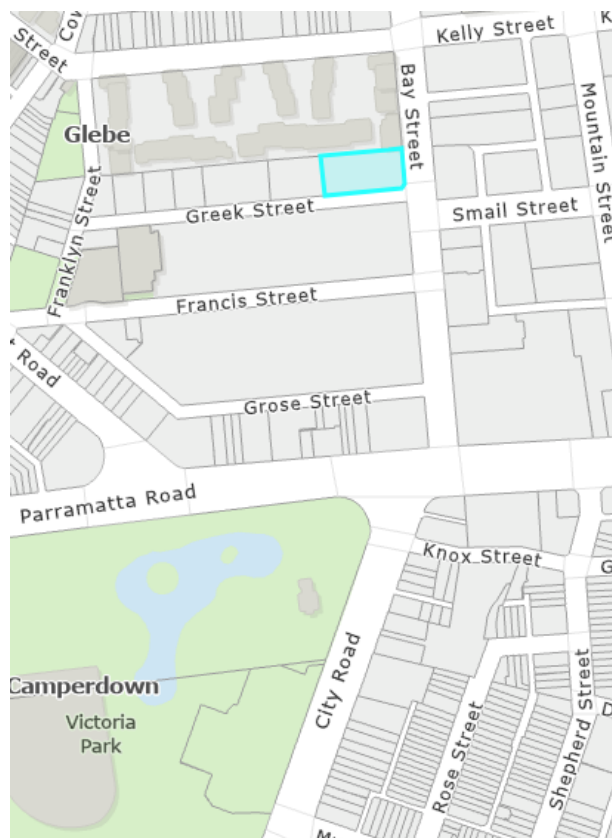


Figure 2: 37-43 Bay Street, Glebe

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: Fady Morkos

Date: 24 March 2026

Premises: 37-43 Bay Street, Glebe

Executive Summary

1. The City received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises dated 24 February 2026 with respect to matters of fire safety.
2. The premises consists of a 4 storey building used for predominantly residential apartments, with retail tenancies on the ground floor and carpark.
3. The City inspected the premises on 10 March 2026, accompanied by the strata representative. This inspection identified fire safety provisions requiring maintenance, which can be addressed under the City's instruction.

Chronology

Date	Event
24 February 2026	FRNSW correspondence received.
10 March 2026	The City inspected the premises identifying deficiencies in fire safety relating to fire hydrants, alarm and detection, exit signage and egress.
19 March 2026	The City issued a corrective action letter requiring identified fire safety deficiencies be addressed by 25 May 2026.

Fire and Rescue NSW Report

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

Issues

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

Ref.	Issue	City response
	Egress	
1	The fire door in the fire stairs adjacent to Unit 31 was chocked open and not capable of self-closing contrary to the requirements of NCC FRNSW removed the chock whilst on site and returned the door to the closed position.	The City's inspection on 10 March 2026 found this issue had already been addressed prior to the inspection. The fire door closed and self-closing mechanism was tested to check compliance, addressing this issue.
	Fire Hydrant System	
2	The lock on the door to the fire brigade booster was faulty FRNSW had difficulty accessing the fire brigade booster contrary to the requirements of the standard	The City's inspection on 10 March 2026 confirmed the lock on the booster assembly was faulty. To address this, the City issued a corrective action letter on 19 March 2026 requiring door hardware be repaired by 25 May 2026. Follow up inspections will be undertaken to ensure works are completed in accordance with the City's instruction.
3	The doors to the fire hydrant booster do not have a device capable of securing the door in not less than a 90° open position contrary to the standards	The City's inspection on 10 March 2026 confirmed the booster doors could not be held open as required. To address this, the City issued a corrective action letter on 19 March 2026 requiring a hold open device be fitted by 25 May 2026. Follow up inspections will be undertaken to ensure works are completed in accordance with the City's instruction.
4	The signage at the booster assembly doesn't indicate the correct pressure for FRNSW to boost at contrary to the requirements of the standard	The City's inspection on 10 March 2026 confirmed signage was missing. To address this, the City issued a corrective action letter on 19 March 2026 requiring signage be provided by 25 May 2026.

Ref.	Issue	City response
		Follow up inspections will be undertaken to ensure works are completed in accordance with the City's instruction.
	Smoke Detection and Alarm System (SDAS)	
5	The ground floor retail premises were not provided with smoke detection contrary to the requirements of the NCC.	The City's inspection on 10 March 2026 confirmed ground floor retail premises were not provided with a detection system. To address this, the City issued a corrective action letter on 19 March 2026 requiring detection be provided by 25 May 2026. Follow up inspections will be undertaken to ensure works are completed in accordance with the City's instruction.
6	There was one disablement showing on the Fire Detection Control Indicating Equipment (FDCIE) FRNSW have liaised with the fire service company who have provided a photograph showing that the disablement has been removed	The City's inspection on 10 March 2026 identified the FDCIE was clear of any faults, though a fault button was flashing on ASE (Alarm Signalling Equipment) monitoring unit mounted on FDICE. To address this, the City issued a corrective action letter on 19 March 2026 requiring the fault be cleared by 25 May 2026. Follow up inspections will be undertaken to ensure works are completed in accordance with the City's instruction.
	Fire Safety Statements	
7	An Annual Fire Safety Statement (AFSS) was not prominently displayed at the premises.	The City's inspection on 10 March 2026 found only one page of the AFSS was on display. To address this, the City issued a corrective action letter on 19 March 2026 requiring a full AFSS be displayed by 25 May 2026.

Ref.	Issue	City response
		Follow up inspections will be undertaken to ensure works are completed in accordance with the City's instruction.

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 on 10 March 2026, a corrective action letter was issued on 19 March 2026 to the building owners to address the fire safety deficiencies identified by the City and FRNSW by 25 May 2026.
8. The City will inspect the premises after 25 May 2026, will under undertaken to ensure that the fire safety deficiencies have been addressed.
9. It is recommended that the Commissioner of FRNSW be informed of the City's decision.

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File Ref. No: FRN16/3019 - BFS26/236 - 8000047737
TRIM Ref. No: D2026/023770
Contact: Senior Firefighter Scott Zucchetto

24 February 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**
37-43 BAY STREET GLEBE (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 4 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

Egress

1. The fire door in the fire stairs adjacent to Unit 31 was chocked open and not capable of self-closing contrary to the requirements of Clause C4D6 of the National Construction Code 2022, Volume 1 Building Code of Australia (NCC).

FRNSW removed the chock whilst on site and returned the door to the closed position.

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Fire Safety Compliance Unit

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Fire Hydrant System

2. The 003 lock on the door to the fire brigade booster was faulty FRNSW had difficulty accessing the fire brigade booster contrary to the requirements of Clause 7.9 of Australian Standard (AS) 2419.1 2005.
3. The doors to the fire hydrant booster do not have a device capable of securing the door in not less than a 90° open position contrary to Clause 7.9 of AS 2419.1 2005.
4. The signage at the booster assembly indicates FRNSW to boost at 1200 Kpa, therefore, the lowest hydrant in the system will exceed the maximum discharge pressure of 1200 kPa contrary to the requirements of Clause 2.3.2 of AS 2419.1-2005. A review of the boost pressure signage may be required.

Smoke Detection and Alarm System (SDAS)

5. The ground floor retail premises were not provided with smoke detection contrary to the requirements of Clause E2D9 of the NCC. In this regard, FRNSW identified the building to have a rise in storeys of 4 with multiple retail occupancies on the ground floor.
6. There was one disablement showing on the Fire Detection Control Indicating Equipment (FDCIE) *'DIS L01D060 LEVEL 2 BETWEEN UNITS 41 & 42'*.

FRNSW have liaised with the fire service company who have provided a photograph showing that the disablement has been removed.

Regulatory Requirements

Fire Safety Statements

7. 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 7 of this report and conduct an inspection.
- b. Address any other deficiencies identified on the premises.

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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.
 - 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 you have any questions or concerns regarding the above matters, Please ensure that you refer to file reference FRN16/3019 - BFS26/236 - 8000047737 for any future correspondence concerning this matter.

Yours faithfully



Paul Scott
Team Leader
Fire Safety Compliance Unit