

Attachment D

Inspection Report 11-17 Eve Street, Erskineville



Figure 1: 11-17 Eve Street, Erskineville, viewed from the west



Figure 2: Location map of 11-17 Eve Street, Erskineville

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: Andrew Porter

Date: 4 May 2026

Premises: 11-17 Eve Street, Erskineville

Executive Summary

1. The City received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises dated 3 March 2026 with respect to matters of fire safety.
2. The premises consists of a 5 storey building used for residential accommodation with basement car parking.
3. The City inspected the premises on 9 April 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
3 March 2026	FRNSW correspondence received.
9 April 2026	The City inspected the premises identifying deficiencies in fire safety.
10 April 2026	The City issued a corrective action letter requiring identified deficiencies be rectified by 23 April 2026.
4 May 2026	The City reinspected the premises confirming all identified deficiencies had been rectified in accordance with the City's instruction.

Fire and Rescue NSW Report

4. FRNSW conducted inspections of the subject premises on 12 February 2026 and 17 March 2026.

Issues

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

Ref.	Issue	City response
Fire Hydrant System		
1.	The above ground isolating valve at the booster assembly was not secured or locked in the open position.	The City's inspection on 9 April 2026 found the above ground isolating valve at the booster assembly to be chained in the open position with a suitable padlock, addressing this issue. No further action.
2.	The enclosure containing the external attack hydrant on the ground floor level, lacked signage to identify the hydrant within.	The City's inspection on 9 April 2026 identified the required signage was not in place. In response to this, the City issued a corrective action letter on 10 April 2026 requiring signage be installed by 23 April 2026. The City's follow up inspection on 4 May 2026 found signage installed as required, addressing this issue. No further action.
Fire Safety - Essential Fire Safety Measures		
3.	Automatic Fire Detection and Alarm System	
A.	The Fire Indicator Panel (FIP) was displaying one (x1) 'Disablement' identified as 'Zone 1 – Basement'.	In response to the FIP disablement, FRNSW issued a fire safety order on the premises on 3 March 2026. FRNSW's follow up inspection on 17 March 2026 confirmed this issue was addressed. The City's inspection on 9 April 2026 confirmed no further issues. No further action.

Ref.	Issue	City response
B.	The smoke detector located in the 'electrical & communications' cupboard on the ground floor level was observed to be covered with a plastic dust cap.	In response to the smoke detector cap, FRNSW issued a fire safety order on the premises on 3 March 2026. FRNSW's follow up inspection on 17 March 2026 confirmed this issue was addressed. The City's inspection on 9 April 2026 confirmed no further issues. No further action.
4.	Fire Hydrant System (incorporating the FPAA101H sprinkler system)	
A.	Diesel Pumpset – The control panel associated with the fire hydrant diesel pumpset was displaying 'Power Fail', 'Start Charger Fail' and 'Control Charge Fail'.	In response to the hydrant control panel faults, FRNSW issued a fire safety order on the premises on 3 March 2026. FRNSW's follow up inspection on 17 March 2026 confirmed this issue was addressed. The City's inspection on 9 April 2026 confirmed no further issues. No further action.
B.	A service record logbook (hardcopy or electronic) could not be located in the pumproom, for the fire hydrant diesel pumpset and it was unclear whether the hydrant pumpset is receiving routine servicing.	In response to the unavailability of hydrant system service records, FRNSW issued a fire safety order on the premises on 3 March 2026. FRNSW's follow up inspection on 17 March 2026 confirmed this issue was addressed. The City's inspection on 9 April 2026 confirmed no further issues. No further action.

Ref.	Issue	City response
5.	Sliding Fire Door to Basement	
A.	The sliding fire door in the basement carpark level failed to return to the fully closed position when tested, therefore compromising the separate fire compartments.	In response to the defective sliding fire door, FRNSW issued a fire safety order on the premises on 3 March 2026. FRNSW's follow up inspection on 17 March 2026 confirmed this issue was addressed. The City's inspection on 9 April 2026 confirmed no further issues. No further action.
6.	Exit Signs	
A.	The exit sign directly above the 'horizontal exit door' built into the sliding fire door (when in the closed position), which provides an alternative egress via the adjoining allotment carpark, was missing the pictorial element.	In response to the defective exit sign, FRNSW issued a fire safety order on the premises on 3 March 2026. Follow up inspection on 17 March 2026 confirmed this issue was addressed. The City's inspection on 9 April 2026 found an additional exit sign not illuminated in the basement level electrical switch room and the City issued a corrective action letter on 10 April 2026 requiring the signage to be remediated by 24 April 2026. The City's follow up inspection on 4 May 2026 found signage had been fixed, addressing this issue. No further action.
B.	The exit sign located in the ground floor residential lobby was not illuminated and had not been maintained.	FRNSW issued a fire safety order on the premises on 3 March 2026. FRNSW's follow up inspection on 17 March 2026 confirmed this issue had been addressed. No further action.

Ref.	Issue	City response
Fire safety statements		
7.	A copy of the current Annual Fire Safety Statement (AFSS) and a copy of the current Fire Safety Schedule (FSS) were not prominently displayed within the building.	The City's inspection on 9 April 2026 found the AFSS and Fire Safety Schedule was not displayed. In response, the City provided the property manager copies for both and issued a corrective action letter on 10 April 2026 requiring the AFSS and Fire Safety Schedule to be prominently displayed by 23 April 2026. The City's follow up inspection on 4 May 2026 observed the AFSS and Fire Safety Schedule prominently displayed within the premises as required, addressing this issue. No further action.

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 City's investigation officer, a corrective action letter was issued on 10 April 2026 to the building owners to address the fire safety deficiencies identified by the City and FRNSW.
8. The City's follow up site inspection on 4 May 2026 confirmed the fire safety deficiencies identified by the City and FRNSW had been addressed and fire safety was adequate provided.
9. It is recommended that the Commissioner of FRNSW be informed of the City's decision.

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File Ref. No: FRN22/2949 - BFS26/166 - 8000047692
TRIM Ref. No: D26/33150
Contact: Mark Knowles

3 March 2026

FRONTIER PROPERTY DEVELOPMENT GROUP PTY LIMITED

C/- T A KHOURY & CO
59 George Street
BURWOOD NSW 2134

Dear The Proper Officer

Re: FIRE SAFETY ORDER – ORDER NO.1
11-17 EVE STREET, ERSKINEVILLE (“the premises”)
[LOT 100 in DP 1227564]

Fire & Rescue NSW (FRNSW) has received your email dated 26 February 2026 in response to the Notice of Intention to give a Proposed Fire Safety Order – Order No.1 dated 13 February 2026.

FRNSW has determined to issue the **Fire Safety Order – Order No.1** (**‘Order No.1’**), in response to your representations and consideration given under the provisions of Schedule 5, Part 7 (Section 14 and Section 15) of the *Environmental Planning & Assessment Act 1979* (EP&A Act). Accordingly, attached is a copy of the FRNSW **“Order No. 1”** dated 2 March 2026, issued under Section 9.34 of the EP&A Act.

A copy of the **“Order No.1”** will be forwarded to City of Sydney Council, under Schedule 5, Part 6, Section 12 of the EP&A Act. Authorised Fire Officers will conduct inspections to assess compliance with the **“Order No.1”**.

Please do not hesitate to contact Mark Knowles of FRNSW's Fire Safety Compliance Unit at noticeorders@fire.nsw.gov.au or call on (02) 9742 7434 if there are any questions or concerns about the above matters. Please ensure that you refer to file reference FRN22/2949 - BFS26/166 - 8000047692 regarding any correspondence concerning this matter.

Yours faithfully,

Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

Fire and Rescue NSW

ABN 12 593 473 110

www.fire.nsw.gov.au

Community Safety Directorate
Fire Safety Compliance Unit

1 Amarina Ave
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CC Email: Highland Property
Attention: Angie Laliotitis
angie@highlandproperty.com.au

CC Email: Frontier Property Development Group Pty Limited
C/- T A Khoury & Co
Attention: Tony Khoury
tony@tak.com.au

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Fire Safety Order

ORDER No. 1

Under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*
Part 9 Implementation and Enforcement – Division 9.3 Development Control Orders
Fire Safety Orders in accordance with the table to Part 2 - Schedule 5.
Give an Order in accordance with Section 9.34(1)(b)

I, **Mark Knowles** **Senior Building Surveyor** **904279**
(name) (rank) (number)

being an authorised Fire Officer within the meaning of Schedule 5, Part 8, Section 16 of the *Environmental Planning and Assessment Act 1979*, and duly authorised for the purpose, hereby order you

**FRONTIER PROPERTY DEVELOPMENT
GROUP PTY LIMITED**

(name of the person whom Order is served)

Owner

(position, i.e. owner, building manager)

with respect to the premise

11-17 EVE STREET, ERSKINEVILLE (“the premises”)
[LOT 100 IN DP 1227564]

(name/address of premises to which Order is served)

to do, or refrain from doing, the following things:

1. Ensure the Automatic Fire Detection and Alarm System installed in ‘the premises’ is fully operational, by:
 - a. Restoring the ‘Disablement’ displayed on the Fire Indicator Panel (FIP).
 - b. Removing the dust cap covering the smoke detector in the ‘electrical & communications’ cupboard on the ground floor level.
2. Ensure the Fire Hydrant System (incorporating the FPAA101H sprinkler system) installed in ‘the premises’ is fully operational, by:
 - a. Repairing all faults associated with the diesel pumpset.
 - b. Providing certification / written confirmation from an Accredited Practitioner (Fire Safety) confirming that the diesel pumpset has been tested and is operational in accordance with its design and installation standard.

Fire and Rescue NSW

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3. Re-instate the missing pictorial element associated with the illuminated exit sign located above the opening to the adjoining allotment carpark in the basement level.
4. Repair or replace the defective illuminated exit sign located above the exit door in the public corridor on the ground floor level.
5. Ensure the sliding fire door in the basement carpark level is fully operational, such that it automatically returns to the fully closed position when activated.

The reasons for the issue of this Fire Safety Order - Order No.1 are:

- a. At the time of the inspection on 12 February 2026, the Fire Indicator Panel, associated with the Automatic Fire Detection and Alarm System, was displaying one (x1) 'Disablement' identified as 'Zone 1 – Basement'.
- b. At the time of the inspection on 12 February 2026, the smoke detector located in the 'electrical & communications' cupboard on the ground floor level was observed to be covered with a plastic dust cap.
- c. At the time of the inspection on 12 February 2026, the control panel associated with the fire hydrant diesel pumpset was displaying 'Power Fail', 'Start Charger Fail' and 'Control Charge Fail'.
- d. At the time of the inspection on 12 February 2026, a service record logbook (hardcopy or electronic) could not be located in the pumproom, for the fire hydrant diesel pumpset. In this regard, it is unclear whether the hydrant pumpset is receiving routine servicing.
- e. Given points "c" and "d" above, it cannot be confirmed whether the pumpset for the fire hydrant system (incorporating the FPAA101H sprinkler system) will operate to the required standard of performance.
- f. At the time of the inspection on 12 February 2026, it was observed that the exit sign directly above the 'horizontal exit door' built into the sliding fire door (when in the closed position), which provides an alternative egress via the adjoining allotment carpark, was missing the pictorial element.
- g. At the time of the inspection on 12 February 2026, it was observed that the exit sign located in the ground floor residential lobby was not illuminated and had not been maintained.
- h. At the time of the inspection on 12 February 2026, the sliding fire door in the carpark level failed to return to the fully closed position when tested, therefore compromising the separate fire compartments.
- i. To ensure that the Automatic Fire Detection and Alarm System is capable of operating in accordance with the standard of performance it was designed and installed to.

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- j. To ensure that the Fire Hydrant System (incorporating the FPAA101H sprinkler system) is capable to operating in accordance with the standard of performance it was designed and installed to.
- k. Ensuring the correct operation of the fire hydrant system pumpset will likely safeguard occupants from injury and help to suppress fire by assisting Fire and Rescue NSW in undertaking firefighting operations.
- l. To ensure compliance with the requirements of Section 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 and the 'Management In Use' requirements as specified in Fire Engineering Report prepared by Innova Services Reference 20388-R01, Issue No. 3, dated 28 April 2021.
- m. To do or refrain from doing such things specified in the Order to ensure or promote adequate fire safety or awareness.

The terms of this Fire Safety Order - Order No.1 are to be complied with:

By no later than **3:00 pm** on the **17 March 2026**.

Appeals

Pursuant to Section 8.18 of the Environmental Planning & Assessment Act 1979 (EP&A Act), there is no right of appeal to the Court against this Fire Safety Order - Order No.1 other than an order that prevents a person from using or entering premises.

Non-Compliance with Fire Safety Order – Order No.1

Failure to comply with this Fire Safety Order - Order No.1 may result in further Orders and/or fines being issued.

Substantial penalties may also be imposed under Section 9.37 of the EP&A Act for failure to comply with a Fire Safety Order - Order No.1.



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

This Fire Safety Order - **Order No. 1** was sent by mail on **3 March 2026**.