

Attachment G

**Inspection report
332-338 Riley Street, Surry Hills**



Figure 1: 332-338 Riley Street, Surry Hills, viewed from the west



Figure 2: Location map of 332-338 Riley 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: Muhammad Hassan

Date: 1 May 2026

Premises: 332-338 Riley 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 30 March 2026 with respect to matters of fire safety.
2. The premises consists of a 3 storey hotel trading as the Forrester's Hotel, Surry Hills.
3. The City inspected the premises on 30 April 2026, accompanied by the Operations Manager. This inspection identified fire safety provisions requiring maintenance, which can be addressed under the City's instruction.

Chronology

Date	Event
30 March 2026	FRNSW correspondence received.
30 April 2026	The City inspected the premises and identified several fire safety deficiencies. These included inadequate fire safety signage, non-compliant emergency lighting, deficiencies in exit stair handrails, sprinkler system compliance issues, inadequate exit door egress arrangements, and insufficient identification of the sprinkler booster. The inspection also identified additional deficiencies that were not noted by FRNSW, including issues relating to portable fire extinguishers and fire hose reels.
1 May 2026	The City issued a corrective action letter requiring the building owners to rectify the identified deficiencies in three stages. Stage 1, due by 8 May 2026, requires a copy of the Annual Fire Safety Statement (AFSS) to be displayed on the premises. Stage 2, due by 31 May 2026, requires the servicing and maintenance of all portable fire extinguishers and fire hose reels.

Date	Event
	Stage 3, due by 30 July 2026, requires rectification of deficiencies relating to emergency lighting, exit stair handrails, sprinkler system compliance, exit door egress arrangements, and sprinkler booster identification.
15 May 2026	The City reinspected the premises and confirmed that the work required for stage 1 had been completed.
1 June 2026	The City reinspected the premises and confirmed the work required for stage 2 had been completed.
20 July 2026	The City received confirmation that all Stage 3 works have been completed, with the exception of works to the existing sprinkler system, which remain under review by the building owner's fire safety provider. An extension of time has been granted until 26 August 2026 to complete the sprinkler system works.

Fire and Rescue NSW report

- Fire and Rescue NSW conducted an inspection of the subject premises on 3 February 2026.

Issues

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

Ref.	Issue	City response
	Provisions for Fire Safety	
	Egress	
1.	The exit doors throughout the premises incorporated latch operating devices.	The City's inspection on 30 April 2026 observed 1 of the 4 exit doors had a single hand downward action latch, while the remaining 3 exit doors had single hand action handles that were considered adequate given then do not require a twist action to open. One exit door had a locking device and in response to this, the City issued a corrective action letter on 1 May 2026 requiring the door

Ref.	Issue	City response
		hardware to be fixed by 30 July 2026. The City received written confirmation on 20 July 2026 that the work had been completed. Follow up inspections will be undertaken to ensure works are completed, addressing this issue.
	Automatic Fire Suppression System (Wall-wetting Sprinkler System)	
2.	The Wall-wetting Sprinkler system booster assembly did not comply with the requirements of AS 2419.1-2021. In this regard: A. The booster assembly was located within the building such that it would not be accessible to FRNSW personnel in the event of a fire.	The City's inspection on 30 April 2026 confirmed the booster assembly was located within the building. Considering the system was designed and built in accordance with an older standard which does not prohibit internal booster assembly, no further action is considered required.
	B. The booster inlet was not provided with a blank cap.	The City's inspection on 30 April 2026 observed a blank cap was provided, addressing this issue.
	C. The booster assembly was not provided with signage to identify its location.	The City's inspection on 30 April 2026 found that the booster assembly lacked signage to identify its location. In response, the City issued a corrective action letter on 1 May 2026 requiring signage to be provided by 30 July 2026. On 20 July 2026, the building owners advised that the sprinkler system was still under review by their fire safety provider. A further extension of time has been granted until 26 August 2026 to complete the required works. Follow up inspections will be undertaken to ensure works are completed, addressing this issue.

Ref.	Issue	City response
3.	A block plan was not provided at the Wall-wetting Sprinkler System booster assembly.	The City's inspection on 30 April 2026 confirmed the booster assembly lacked a block plan. Under the building's current standard of performance, a block plan is not required. Given this, no further action is required to address this matter.
4.	Test and boost pressure signage was not provided at the Wall-wetting sprinkler system booster assembly.	The City's inspection on 30 April 2026 confirmed the booster assembly lacked test and booster pressure signage. Under the building's current standard of performance, signage is not required. Given this, no further action is required to address this matter.
5.	The sprinkler heads in the following locations were not configured to spray against any infill panels, contrary to the intent of AS 2118.2-2021: A. Above the doorway opening between the public bar and garden area.	A review of the building's fire safety measures found that the sprinkler head locations have been engineered in the building's Fire Engineering Report (FER). The FER required sprinklers above the doorway between the public bar and garden area so that they are spaced a minimum of 2m apart. This was not observed during the City's inspection on 30 April 2026. In response, the City issued a corrective action letter on 1 May 2026 requiring sprinkler spacing in accordance with the FER by 30 July 2026. On 20 July 2026, the building owners advised that the sprinkler system was still under review by their fire safety provider. A further extension of time has been granted until 26 August 2026 to complete the required works.

Ref.	Issue	City response
		Follow up inspections will be undertaken to ensure works are completed, addressing this issue.
	B. Above the opening behind the bar in Phylli's bar.	The City's inspection on 30 April 2026 found the sprinkler locations in the Phylli's Bar were installed in accordance with the building's FER, addressing this issue.
	Emergency Lighting	
6.	FRNSW's Authorised Fire Officers were of the opinion that an inadequate amount of emergency lighting was provided to the ground floor bar area and the ground floor restaurant area to enable sufficient illumination.	The City's inspection on 30 April 2026 found the ground level and the internal and external exit stair lacked a sufficient quantity of emergency lighting. In response, the City issued a corrective action letter on 1 May 2026 requiring sufficient emergency lighting be provided by 30 July 2026. The City received advice on 20 July 2026 confirming that the works had been completed. An inspection will be undertaken to confirm the work has been completed, addressing this issue.
7.	Emergency lighting was not provided to the internal or external stairs providing egress from levels 1 and 2.	The City's inspection on 30 April 2026 found the ground level and the internal and external exit stair lacked a sufficient quantity of emergency lighting. In response, the City issued a corrective action letter on 1 May 2026 requiring sufficient emergency lighting be provided by 30 July 2026. The City received advice on 20 July 2026 confirming that the works had been completed.

Ref.	Issue	City response
		An inspection will be undertaken to confirm the work has been completed, addressing this issue.
	Exit Signs	
8.	The exit sign directing occupants from the first-floor function area to the exit door leading to the external stair was not illuminated.	The City's inspection on 30 April 2026 observed the exit sign directing occupants from the first-floor function area to the exit door leading to the external stair was illuminated, addressing this issue.
	Regulatory Requirements	
	Fire Safety – Essential Fire Safety Measures	
9.	The exit sign directing occupants from the first-floor function area to the exit door leading to the external stair was not maintained to the standard of performance required by the Fire Safety Schedule for the building.	The City's inspection on 30 April 2026 found the exit sign directing occupants from the first-floor function area to the exit door leading to the external stair was maintained to the standard of performance required by the Fire Safety Schedule for the building, addressing this issue.
	Fire Safety Statement	
10.	A current Annual Fire Safety Statement (AFSS) was not displayed in a prominent location within the building or provided to FRNSW contrary to the requirements of Section 89 of the EPAR.	The City's inspection on 30 April 2026 found that the current AFSS was not displayed in a prominent location within the building. In response, the City issued a corrective action letter on 1 May 2026 requiring the AFSS to be on display by 8 May 2026. The City reinspection on 1 June 2026 confirmed the AFSS was on display, addressing this issue.
	Fire Safety Offences	
11.	The path of travel in the vicinity of the exit door leading to the external stair from the first floor was partially obstructed with a	The City's inspection on 30 April 2026 found the path of travel in the vicinity of the exit door leading to the

Ref.	Issue	City response
	shelving unit, contrary to the requirements of Section 109 of the EPAR.	external stair from the first floor was clear, 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 1 May 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: FRN26/353 - BFS26/352 – 8000047835
TRIM Ref. No: D26/45617
Contact: Ryan Maestri

30 March 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
FORRESTER'S HOTEL
336 RILEY STREET, SURRY HILLS (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 3 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:

Fire and Rescue NSW

ABN 12 593 473 110

www.fire.nsw.gov.au

Community Safety Directorate
Fire Safety Compliance Unit

1 Amarina Ave
Greenacre NSW 2190

T (02) 9742 7434
F (02) 9742 7483

www.fire.nsw.gov.au

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Provisions for Fire Safety

Egress

1. The exit doors throughout the premises incorporated latch operating devices that did not comply with the requirements of Clause D3D26 of the National Construction Code Volume 1 2022 (NCC).

Automatic Fire Suppression System (Wall-wetting Sprinkler System)

2. The Wall-wetting Sprinkler system booster assembly did not comply with the requirements of AS 2419.1-2021, contrary to Clause 3.5 of AS 2118.2-2021. In this regard:
 - A. The booster assembly was located within the building such that it would not be accessible to FRNSW personnel in the event of a fire, contrary to the requirements of Clause 7.3.1 of AS 2419.1-2021.
 - B. The booster inlet was not provided with a blank cap, contrary to the requirements of Clause 7.1 of AS 2419.1-2021 and Clause 3.5 of AS 2419.3-2012.
 - C. The booster assembly was not provided with signage to identify its location, contrary to the requirements of Clause 11.3.1 of AS 2419.1-2021.
3. A block plan was not provided at the Wall-wetting Sprinkler system booster assembly, contrary to the requirements of Clause 4.2.4 of AS 2118.2-2021.
4. Test and boost pressure signage was not provided at the Wall-wetting sprinkler system booster assembly, contrary to the requirements of Clause 3.6 of AS 2118.2-2021.
5. The sprinkler heads in the following locations were not configured to spray against any infill panels, contrary to the intent of AS 2118.2-2021:
 - A. Above the doorway opening between the public bar and garden area.
 - B. Above the opening behind the bar in Phylli's bar.

In this regard, it is unknown whether previously installed infill panels were removed or whether the construction of the building has changed since the installation of the system.

Emergency Lighting

6. FRNSW's Authorised Fire Officers were of the opinion that an inadequate amount of emergency lighting was provided to the ground floor bar area

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and the ground floor restaurant area to enable sufficient illumination, contrary to the requirements of Clause E4D4 of the NCC.

7. Emergency lighting was not provided to the internal or external stairs providing egress from levels 1 and 2, contrary to the requirements of Clause E4D2 of the NCC.

Exit Signs

8. The exit sign directing occupants from the first-floor function area to the exit door leading to the external stair was not illuminated, contrary to the requirements of Clause E4D8 of the NCC.

Regulatory Requirements

Fire Safety – Essential Fire Safety Measures

9. The exit sign directing occupants from the first-floor function area to the exit door leading to the external stair was not maintained to the standard of performance required by the Fire Safety Schedule for the building, contrary to the requirements of Section 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR).

Fire Safety Statements

10. A current Annual Fire Safety Statement was not displayed in a prominent location within the building or provided to FRNSW contrary to the requirements of Section 89 of the EPAR.

Fire Safety Offences

11. The path of travel in the vicinity of the exit door leading to the external stair from the first floor was partially obstructed with a shelving unit, contrary to the requirements of Section 109 of the EPAR.

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. Ensure the fire safety measures serving the premises are being regularly maintained and that an Annual Fire Safety Statement is being provided to both the Council and FRNSW.
- c. 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.

Please do not hesitate to contact Ryan Maestri 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 FRN26/353 - BFS26/352 – 8000047835 for any future correspondence concerning this matter.

Yours faithfully

Ryan Maestri
Senior Building Surveyor
Fire Safety Compliance Unit