Attachment E

Inspection report
152-164 Bulwara Road, Pyrmont



Figure 1: 152-164 Bulwara Road, Pyrmont, viewed from the south-west

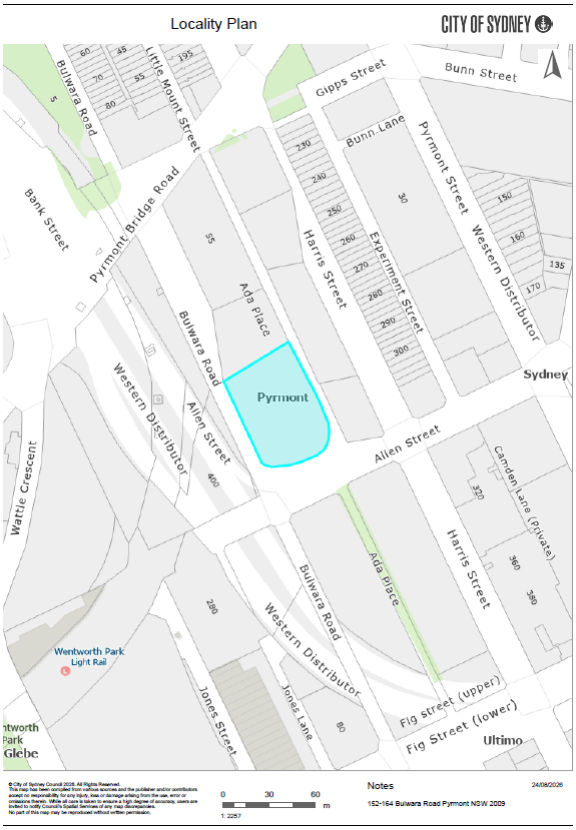


Figure 2: Location map of 152-164 Bulwara Road, Pyrmont

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: **Bilal Badyari**

Date: **24 August 2026**

Premises: **152-164 Bulwara Road, Pyrmont**

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 10 August 2026 with respect to matters of fire safety.

2. The premises consists of a 10 storey building used for a residential accommodation with associated carpark.

3. The City inspected the Premises on 18 August 2026, accompanied by the building manager. This inspection identified deficiencies in fire safety. To address this, a Notice of Intention to Give a Fire Safety Order (NOI) has been issued under the *Environmental Planning and Assessment Act 1979* NSW (the Act).

Chronology

Date	Event
10 August 2026	FRNSW correspondence was received.
18 August 2026	The City inspected the premises identifying deficiencies in fire safety.
14 September 2026	The City issued a NOI.

Fire and Rescue NSW report

4. Fire and Rescue NSW conducted an inspection of the subject premises on 9 July 2026.

Issues

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

Ref.	Issue	City response
Fire Resistance		
1.	The self-closing device to the fire door (exit door) leading to the fire isolated stairs on level 5 of Tower 1 was damaged and not capable of returning the door to the fully closed position.	The City's inspection on 18 August 2026 found the maintenance issue relating to the self-closing device to the door had already been rectified, addressing this matter.
Egress		
2.	Exit doors leading to the fire isolated stairs incorporate tulip handles incapable of allowing the door to be opened with a single-handed downward action.	The City's inspection on 18 August 2026 found tulip handles on required exit doors throughout the building. In response, the City issued a NOI on 14 September 2026, requiring single-handed, downward-action door hardware to be installed. Follow up inspections will be undertaken to ensure the works are completed, addressing this issue.
3.	The fire isolated exits from both tower one (1) and tower two (2) discharge within an enclosed central courtyard on the premises. Furthermore, egress from the central courtyard to the road (Ada Place) requires occupants to pass within 6m of unprotected openings and back through the building to access the road.	The City's inspection on 18 August 2026 confirmed that the building's exit discharge arrangements do not provide a compliant path of travel to a road or open space. In response, the City issued a NOI on 14 September 2026, requiring egress to be reconfigured. Follow up inspections will be undertaken to ensure the works are completed, addressing this issue.
4.	The ground level fire door to the fire isolated stair in Tower two (2) was found propped open. The Building Manager inform FRNSW at the time of the inspection, the door was left open due to ongoing works to the lift that is currently out of order. FRNSW advised the Building Manager that the operation of the fire door was not to be impeded and should remain capable of self-closing when not being used due to	The City's inspection on 18 August 2026 found the fire door was closed and operating as intended, addressing this issue.

Ref.	Issue	City response
	risk of smoke and fire spread into the fire stairs. FRNSW advised the Building Manager to sort an arrangement to allow access to the building via the fire stairs without impeding the operation of the fire door.	
Automatic Smoke Detection and Alarm System (ASDAS)		
5.	The public corridors and other internal spaces throughout the building are not fitted with a smoke detection system.	The City's inspection on 18 August 2026 confirmed smoke detection systems were not provided to public corridors nor in other internal spaces. In response, the City issued a NOI on 14 September 2026, requiring additional smoke hazard management be provided. Follow up inspections will be undertaken to ensure the works are completed, addressing this issue.
6.	The display screen on the fire indicator panel (FIP) was opaque, making it unable to be read. It was also noted that the Alarm Signalling Equipment (ASE) was displaying a fault.	The City's inspection on 18 August 2026 found the FIP display screen was opaque and displayed a fault. In response, the City issued a NOI on 14 September 2026 requiring the automatic smoke detection and alarm system to be rectified. Follow up inspections will be undertaken to ensure the works are completed, addressing this issue.
Fire Hydrant System		
7.	The fire hydrant system appears to have been installed in accordance with Ordinance 70 and Ministerial Specification No.10. In this regard, the following operational concerns are raised:	
a.	The designed pressure and flows are likely to be inadequate to facilitate firefighting operations and suppress a fire at the building.	The City's inspection on 18 August 2026 confirmed several non-compliances associated with the building's fire hydrant system.

Ref.	Issue	City response
b.	The fire hydrant pumpset duty of 4.5L/s @30Mh is likely to be inadequate to facilitate firefighting operations and suppress a fire at the building.	In response, the City issued a NOI on 14 September 2026, requiring the hydrant system to be upgraded. Follow up inspections will be undertaken to ensure the works are completed, addressing this issue.
c.	The hydrant booster is not provided with a water supply (feed hydrants).	
d.	The building is not provided with wayfinding signage within the fire isolated stairs on each level to inform crews of the location of internal fire hydrants.	
e.	Boost pressure signage is not installed adjacent to the fire hydrant booster.	
Automatic Fire Sprinkler System		
8.	The building appears to have an effective height of more than 25m and has not been fitted with a fire sprinkler system to the residential levels. In this regard, FRNSW brings to your attention position statement published by FRNSW on 30 August 2024.	The City's inspection on 18 August 2026 confirmed that a sprinkler system is installed within the basement carpark. No sprinkler system is provided throughout the residential levels of the building. As the building was designed and constructed at a time when automatic sprinkler protection was not a mandatory requirement and noting that the City issued a NOI on 14 September 2026 requiring upgrades to other fire safety measures that will significantly enhance the overall level of fire safety within the building, the installation of a sprinkler system throughout the residential levels is not considered warranted at this time.
Fire Safety – Essential Fire Safety Measures		
9.	The following Essential Fire Safety Measures have not been maintained:	
a.	Fire exit door to fire isolated stairs – Level 5 Tower 1	The City’s inspection on 18 August 2026 observed the door hardware was not being maintained.

Ref.	Issue	City response
		In response, the City issued a NOI on 14 September 2026, requiring the fire exit door to be maintained. Follow up inspections will be undertaken to ensure the works are completed, addressing this issue.
10.	FRNSW did not observe maintenance logbooks and/or summary records relating to the following Essential Fire Safety Measures on site.	
a.	Automatic Fire Sprinkler System	The City's inspection on 18 August 2026 confirmed maintenance logbooks and summary records were not available onsite. In response, the City issued a NOI on 14 September 2026, requiring the building's essential fire safety measures to be maintained in accordance with the standard of performance listed in the fire safety schedule. Follow up inspections will be undertaken to ensure the logbooks and records are completed, addressing this issue.
b.	Fire Detection and Alarm System (Smoke Alarms)	
c.	Fire Hydrant System	
d.	Fire hose reels	
e.	Portable fire extinguishers	
f.	Passive Fire and Smoke Systems	
g.	Fire and Smoke Hazard Management Systems	
Annual Fire Safety Statement (AFSS)		
11.	The AFSS displayed in the building was dated Nov 2023 and was not completed. It has also been noted the standard of performance for the fire hydrant system is AS 2419.1-1994. Based on the design of the hydrant system, FRNSW believes the system to be installed to Ordinance 70.	The City's inspection on 18 August 2026 confirmed that the displayed AFSS was outdated and contained inaccuracies regarding the standard of performance of the fire hydrant system. In response, the City issued a NOI on 14 September 2026, requiring an updated, correct AFSS be provided. Follow up inspections will be undertaken to ensure the works are completed, 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. Due to fire safety concerns a Notice of Intention (NOI) to give a fire safety order under the Act was issued on 14 September 2026. After the NOI's representation period expires, received representations are considered, and a further inspection undertaken, 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. The representation period for the Notice of Intention to Give a Fire Safety Order expires on 20 October 2026.

File Ref. No: FRN26/2095 - BFS26/4829 – 7000002936
TRIM Ref. No: D2026/115893
Contact: Matthew Warbrick

10 August 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
DARLINGTON APARTMENTS
152 – 164 BULWARA ROAD PYRMONT (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 9 July 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 Resistance

1. The self-closing device to the fire door (exit door) leading to the fire isolated stairs on level 5 of Tower 1 was damaged and not capable of returning the door to the fully closed position, contrary to the requirements of Clause C4D9 of the National Construction Code, Volume 1 2022.

Egress

2. Exit doors leading to the fire isolated stairs incorporate tulip handles incapable of allowing the door to be opened with a single-handed downward action, contrary to the requirements of Clause D3D26 of the NCC.

3. The fire isolated exits from both tower one (1) and tower two (2) discharge within an enclosed central courtyard on the premises, contrary the requirements of Clause D2D12(2) of the NCC.

   Furthermore, egress from the central courtyard to the road (Ada Place) requires occupants to pass within 6m of unprotected openings and back through the building to access the road, contrary to the requirements of Clause D2D12(3) of the NCC.

4. The ground level fire door to the fire isolated stair in Tower two (2) was found propped open. The Building Manager inform FRNSW at the time of the inspection, the door was left open due to ongoing works to the lift, that is currently out of order.

   FRNSW advised the Building Manager that the operation of the fire door was not to be impeded and should remain capable of self-closing when not being used due to risk of smoke and fire spread into the fire stairs.

   FRNSW advised the Building Manager to sort an arrangement to allow access to the building via the fire stairs without impeding the operation of the fire door.

Automatic Smoke Detection and Alarm System (ASDAS)

5. The public corridors and other internal spaces throughout the building are not fitted with a smoke detection system, contrary to the requirements of Clause E2D5 and S20C4 of Specification 20 of the NCC.

6. The display screen on the fire indicator panel (FIP) was opaque, making it unable to be read. It was also noted that the Alarm Signalling Equipment (ASE) was displaying a fault.

Fire Hydrant System

7. The fire hydrant system appears to have been installed in accordance with Ordinance 70 and Ministerial Specification No.10. In this regard, the following operational concerns are raised:

a. The designed pressure and flows are likely to be inadequate to facilitate firefighting operations and suppress a fire at the building.

b. The fire hydrant pumpset duty of 4.5L/s @30Mh is likely to be inadequate to facilitate firefighting operations and suppress a fire at the building

c. The hydrant booster is not provided with a water supply (feed hydrants)

d. The building is not provided with wayfinding signage within the fire isolated stairs on each level to inform crews of the location of internal fire hydrants.

e. Boost pressure signage is not installed adjacent to the fire hydrant booster.

In light of this, FRNSW brings to your attention a position statement published by FRNSW on 12 September 2024 – *"Fire hydrant system in existing building or premises"*

Automatic Fire Sprinkler System

8. The building appears to have an effective height of more than 25m and has not been fitted with a fire sprinkler system to the residential levels contrary to the requirements of Clause E1D5 of the NCC. In this regard, FRNSW brings to your attention position statement published by FRNSW on 30 August 2024 - *"Fire sprinklers in Class 2 and 3 buildings"*

Regulatory Requirements

Fire Safety – Essential Fire Safety Measures

9. The following Essential Fire Safety Measures have not been maintained contrary to the requirements of Section 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021)

    a. Fire exit door to fire isolated stairs – Level 5 Tower 1

10. In reference to Section 81A of the EPAR 2021, FRNSW did not observe maintenance logbooks and/or summary records (required by AS1851-2012) relating to the following Essential Fire Safety Measures on site.

    a. Automatic Fire Sprinkler System

    b. Fire Detection and Alarm System (Smoke Alarms)

    c. Fire Hydrant System

d. Fire hose reels.

e. Portable fire extinguishers.

f. Passive Fire and Smoke Systems

g. Fire and Smoke Hazard Management Systems

Given this, concerns are raised that adequate maintenance of these Essential Fire Safety Measures is not being undertaken in accordance with AS 1851-2012.

Annual Fire Safety Statements

11. The AFSS displayed in the building was dated Nov 2023 and was not completed, contrary to the requirements of Section 89 of the EPAR 2021.

    It has also been noted the standard of performance for the fire hydrant system is AS 2419.1-1994. Based on the design of the hydrant system, FRNSW believes the system to be installed to Ordinance 70.

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. Require the existing fire hydrant system be upgraded to meet the performance requirements of AS 2419.1-2021, to address item no. 7 of this report.

   FRNSW acknowledge that all aspects of AS 2419.1:2021 may not be able to be complied with due to the characteristics and constraints of the existing fire hydrant system and/or building or premises. A bespoke upgrade solution may be required.

c. Require the installation of an automatic fire sprinkler system throughout the building, complying with the requirements of Clause E1D5 and Specification 17 of the NCC, to address item no. 8 of this report.

a. 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. 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.
- The following parts of the premises were not able to be inspected:
    - Sprinkler Valve Room
    - SOU's

Please do not hesitate to contact Matthew Warbrick 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 FRN26/2095 - BFS26/4829 – 7000002936 for any future correspondence concerning this matter.

Yours faithfully



Matthew Warbrick
Acting Senior Building Surveyor
Fire Safety Compliance Unit