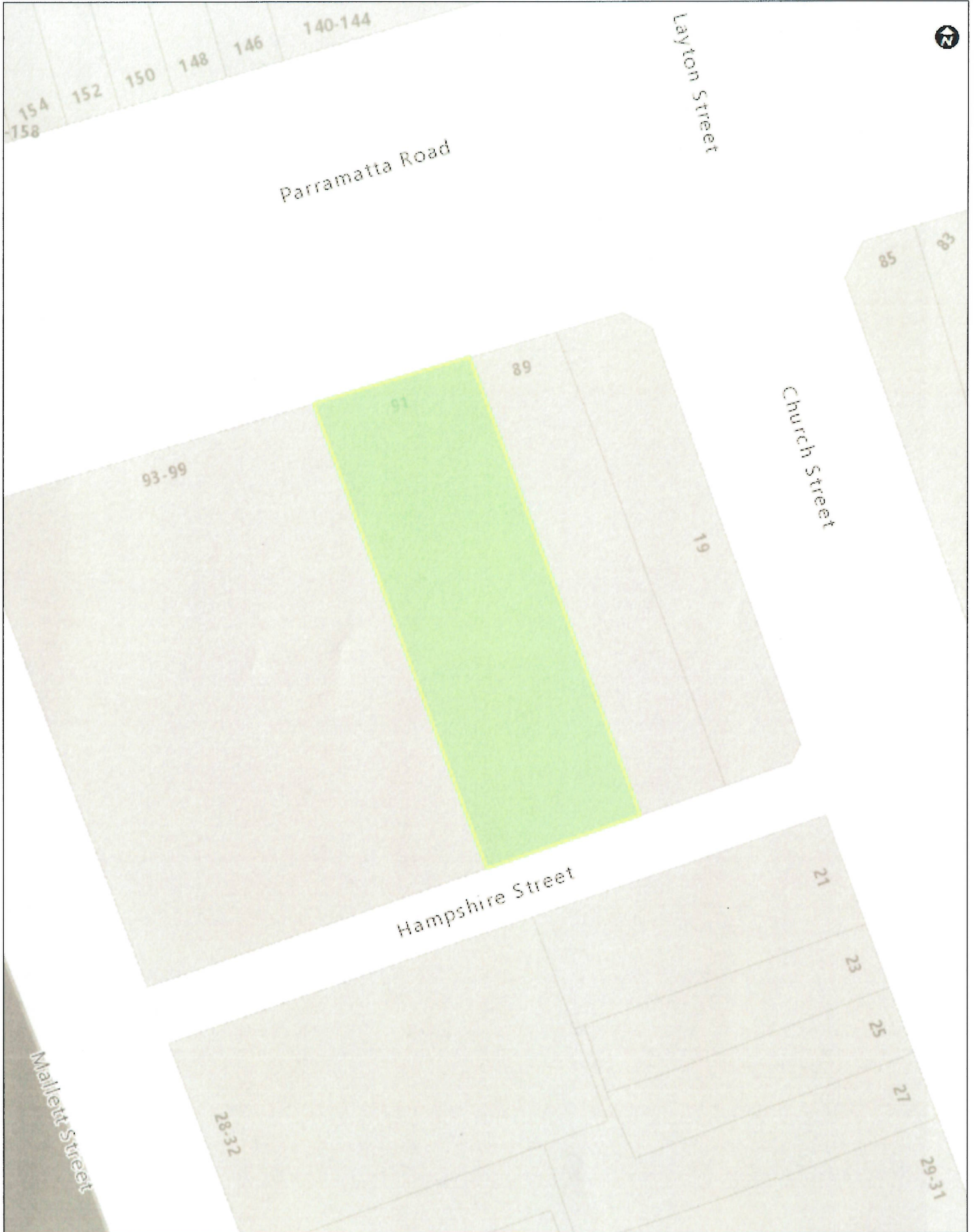


# **Attachment C**

**Council Officer Inspection Report  
91 Parramatta Road Camperdown**



**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)**

**CSM: 2218384**

**Officer: Tracey McCann**

**Date: 07 January 2020**

**Premises: 91 Parramatta Road, Camperdown (Lady Hampshire)**

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**Executive Summary:**

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises with respect to matters of fire safety.

The premises was constructed in the 1920's and consists of external masonry walls & timber framed /metal roof construction. The internal walls are of masonry construction with timber floors and stairway.

The premises consists of a two storey building used for Class 3 hotel accommodation on level one, Class 6 bar and restaurant on ground floor and a cellar is located within the basement area. The effective height of the building is considered to be less than 12 metres.

The building was subject to the issue of a Fire Safety Order by the City of Sydney on the 01 March 2013 which was completed and finalised to the satisfaction of the City on the 27 July 2017.

Observation of the external features of the building did not identify the existence of any potential combustible composite cladding on the façade of the building.

An inspection of the premises undertaken by a Council investigation officer in the presence of the manager of Lady Hampshire and fire contractor revealed that there were no significant fire safety issues occurring within the building.

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

Council investigations have revealed that whilst there remains several minor fire safety "maintenance and management" works to attend to, the overall fire safety systems provided within the subject premises are considered adequate in the circumstances.

It is considered that the above fire safety works are of a degree which can be addressed by routine preventative and corrective maintenance actions undertaken by the owner's fire service contractor(s) through written instruction from Council.

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**Chronology:**

<b>Date</b>	<b>Event</b>
03/01/2020	FRNSW correspondence received regarding premises 91 Parramatta Road, Camperdown [Lady Hampshire].
07/01/2020	An initial desktop review of the subject building revealed that it has a current fire safety schedule and is required to submit annual fire safety statements to Council and FRNSW. The building has a current compliant annual fire safety statement, with the next one due on 12 April 2020. The building has been subject to a previous Fire Safety Order issued by Council reference: S103125 [FIRE/2012/73]

14/01/2020	<p>An inspection of the subject premises was undertaken by a Council officer in the presence of the manager of Lady Hampshire and the appointed fire contractor.</p> <p>The inspection revealed only minor non-compliances which could be addressed through appropriate maintenance and management. The inspection also revealed that the majority of the issues raised by FRNSW had been addressed by the fire contractor. The outcomes of the inspection were discussed at the conclusion of the inspection with the manager who was also advised that written advice on the findings would be issued in due course.</p>
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### **FIRE AND RESCUE NSW REPORT:**

References: [BFS19/3672 (9462) & D19/92587]

Fire and Rescue NSW conducted an inspection of the subject premises on 29 November 2019 as part of a routine joint inspection in the company of Officers from the NSW Police Force and City of Sydney Council.

#### Issues

The report from FRNSW detailed a number of issues in relation to Lady Hampshire, in particular noting concerns with:

1. That the sprinkler booster was not being regularly maintained;
2. That the commercial kitchen did not contain a specific type of portable fire extinguisher to cover hazards associated with the deep fat fryer;
3. That portable fire extinguisher signage was not identifiable in the beer garden or kitchen;
4. That heat detectors had been installed within the bar area and hallway next to the Fire Indicator Panel in lieu of smoke detectors;
5. That required exit doors facing Parramatta Road & doors leading to the beer garden had been fitted with slide locks or cylinder locking mechanisms;
6. That the front entrance door from Parramatta Road leading to the Fire Indicator Panel and all required exits facing Parramatta Road swing against the path of egress;
7. Issues associated with the provision of exit and directional signage within the premises;
8. Issues associated with extended travel distances to an exit;
9. That a polycarbonate roof has been installed to the adjoining building leading to the beer garden;
10. Issues associated with compartmentation within the premises;
11. That the door providing access from the bar to the accommodation via the stairway, contained a glass opening and it was unclear whether the door was suitably fire rated or approved without fire rating;
12. Issues associated with the buildings Annual Fire Safety Statement.

## FRNSW Recommendations

FRNSW have made recommendations within their report. In general FRNSW have requested that Council;

1. Inspect the subject premises and take action to have the identified fire safety issues appropriately addressed;
2. In its capacity as the regulatory authority take action to have the abovementioned items appropriately addressed.
3. Advise them in writing of its determination in relation to this matter in accordance with the provisions of clause 17(4) of Schedule 5 of the Environmental Planning and Assessment Act 1979.

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### **COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

Issue Order(NOI)	Issue emergency Order	Issue a compliance letter of instruction	Cited Matters rectified	Continue to undertake compliance action in response to issued Council correspondence	Continue with compliance actions under the current Council Order	Other (to specify)

As a result of preliminary site inspection undertaken by Council Investigation Officers it is recommended that a compliance letter of instruction be issued to the building owners and further action be undertaken, as appropriate, to address the fire safety deficiencies identified by FRNSW and any other matters that may be revealed during further investigations of the subject premises.

The above proposed correspondence will request that the building owner and hotel management attend to the issues identified by FRNSW in their correspondence to Council.

It is recommended that Council not exercise its powers to give a fire safety order at this time. That the Commissioner of FRNSW be advised of Council's actions and determination.

#### **Referenced documents:**

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2020/024170-01
A2.	Locality Plan	2020/024170-02
A3	Attachment cover sheet	2020/024170-03
A4	Corrective action letter issued to Owners	2020/024170-04

**Trim Reference:** 2020/024170

**CSM reference No#:** 2218384



File Ref. No: BFS19/3672 (9462)  
TRIM Ref. No: D19/92587  
Contact: [REDACTED]

2 January 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT  
'LADY HAMPSHIRE'  
91 PARRAMATTA ROAD, CAMPERDOWN ("the premises")**

Pursuant to the provisions of Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 29 November 2019 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW). The inspection was also conducted in the company of Officers from the NSW Police Force and City of Sydney Council.

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. 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.

## COMMENTS

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items are limited to observations of the building accessed at the time of the inspection and identifies possible deviations from the National Construction Code 2019, Volume 1 Building Code of Australia (NCC). FRNSW acknowledges that the deviations may contradict development consent approval or relate to the building's age. It is therefore council's discretion as the appropriate regulatory authority to consider the most appropriate action.

The following items were identified as concerns during the inspection:

### 1. Essential Fire Safety Measures

1A. Regular Maintenance – Australian Standard AS1851-2012 (amendment 1) - "Service of fire protection systems and equipment", requires essential service measures to be regularly tested. At the time of the inspection the following was observed:

A. Sprinkler Booster Connection – Clause 2.3 requires regular inspections of the booster connection. At the time of the inspection the maintenance tag to the sprinkler booster was tagged March 2019.

B. Portable Fire Extinguishers (PFE) – Table 10.4.1 requires PFE to remain conspicuous, readily accessible and in its assigned location. At the time of the inspection the bracket in the kitchen lacked a PFE.

1B. Portable Fire Extinguishers (PFE) – Clause E1.6 of the NCC outlines the type and location of the PFE including compliance with Australian Standard AS2444. At the time of the inspection the following was noted:

A. Table E1.6 of the NCC details the risk class (as defined in AS 2444) for the selection of PFEs in specific areas of a building. A Class F and Class A:B(E) PFE could not be located within the kitchen.

B. Clause 3.4 of AS2444 requires PFE signage to be visible from a distance of up to 20 m. The signage for the following PFEs were not visible within the kitchen:

i. A Class A:B(E) signage (and PFE) located in the beer garden beside the rear kitchen door.

ii. Class F & Class A signage (and PFEs) were located on the other side of the servery of the kitchen. Such PFEs would typically be located within the kitchen. The chef and kitchen staff could not locate the PFEs when asked. The chef was not aware the PFEs were on the other side of the servery.

1C. Specification E2.2a – The following comments consider Australian Standard AS1670.1:2015 – ‘Fire detection, warning, control and intercom systems—System design, installation and commissioning’:

A. Heat Detectors – Clause C3.27.1 of AS1670.1 outline circumstances which smoke detectors can be replaced with heat detectors. Council may need to review its records to confirm whether the circumstances surrounding the installation of heat detectors has been approved. The following was observed:

- i. The detector located beside the Fire Indicator Panel appeared to be a heat detector. However, there appeared to be smoke detectors spaced evenly within the hallway.
- ii. All the detectors located within the bar area appeared to be heat detectors.

## 2. Access and Egress

2A. Construction of Exits – Performance Requirement DP2 of the NCC outlines the requirements so that people can move safely to and within a building, hence the following observations may require a review of its records regarding egress generally:

A. Operation of Latch – Having regard to clause D2.21 of the NCC the following was observed:

- i. All required exit doors facing Parramatta Road within the bar area include slide locks.
- ii. The doors leading to the beer garden from the FIP appears to be in the path of egress to the required exit door includes slide locks and a cylinder lock.

B. Swinging Doors – Having regard to clause D2.20 of the NCC the following was observed:

- i. The front entrance door from Parramatta Road that leads to the FIP swings against the path of egress.
- ii. All the required exit doors that lead to Parramatta Road open against the path of egress.

2B. Clause E4.5 of the NCC requires exits signs to be installed in a specified location and visible when approaching an exit. At the time the following was observed:

A. Vine leaves obscure the exit sign in beer garden at the rear of premises leading to the required exit door to Hampshire Street.

B. There are no exit signage in the hallway in the stairway that separates the bar from the accommodation.



2C. Travel Distance – Clause D1.4 of the NCC outlines the minimum distances to an exit. Where a maximum of 6 metres to a required exit or point of choice to two exits from the entry door of a Sole Occupancy Unit (SOU) is required. It appears that the travel distance exceeds 6m to a single exit.

### 3. Compartmentation

3A. Spread of Fire – Performance Requirement CP2 of the NCC specifies buildings must have elements which will, to the degree necessary, avoid the spread of fire. Council may need to review its records to confirm that the following is approved:

- A. There is a timber framed, polycarbonate roof that extends and attached to adjoining building (leading to the beer garden).
- B. A visual inspection of the ceiling and stair enclosure (lightweight construction that encloses the stairs from the bar [Class 6] to the hotel [Class 3]) could not determine whether the Class 3 and Class 6 are appropriately compartmented. There were gaps between the wall and ceiling to the stair enclosure.
- C. The door that provides access from the Class 6 and Class 3 on the ground floor includes a glass opening. As such it is unclear whether the doors are fire rated, or if approved without fire rating.

### 4. Generally

4A. Annual Fire Safety Statement (AFSS) – Clause 177(3)(b) of the Environmental Planning and Assessment Regulation 2000 indicates that the statement must be prominently displayed in the building, at the time of the inspection the AFSS could not be located. For ease FRNSW prefers the statement be located beside the Fire Indicator Panel. An inspection and a review of council's records may be required.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

## RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 through to item no. 4 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17(4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS19/3672 (9462) for any future correspondence in relation to this matter.

Yours faithfully



Fire Safety Compliance Unit