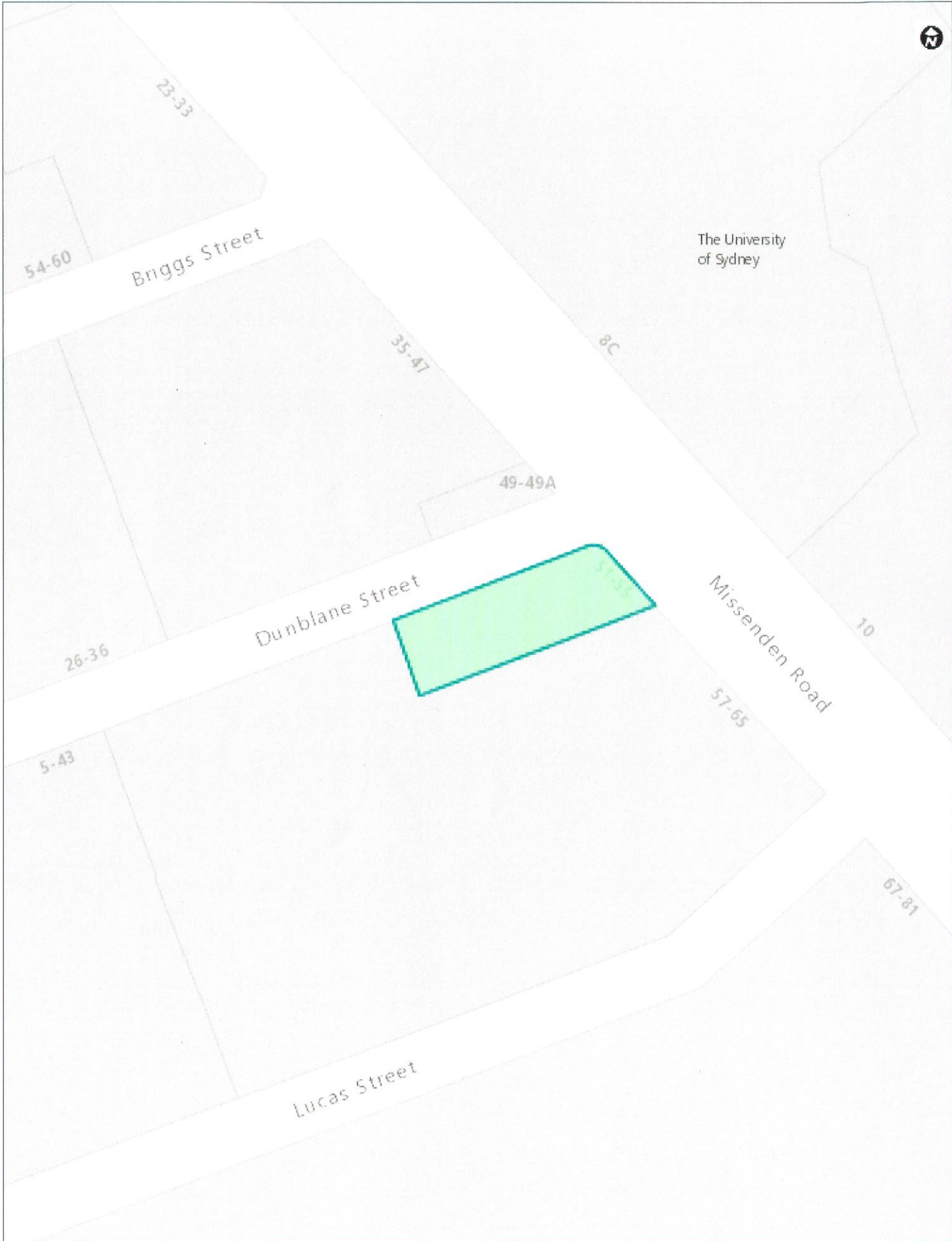


# **Attachment C**

**Council Officer Inspection Report  
51-55 Missenden 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: 2230380**

**Officer: Tracey McCann**

**Date: 10 February 2020**

**Premises: 51-55 Missenden Road, Camperdown [Alfred Hotel]**

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

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 duty manager revealed that the premises are deficient in fire safety and egress provisions in the following areas:

- I. Inadequate fire detection and alarm systems;
- II. Suitable fire resisting construction to prevent the spread of fire;
- III. Safe and dignified emergency egress for occupants to safely evacuate the building in the event of a fire
- IV. Poor fire safety management systems (signs/notices/not displayed etc.) in place

Council investigations have revealed that the premises are deficient in the provisions for fire safety and that a fire safety order to be issued under Schedule 5 of the Environmental Planning and Assessment Act, 1979 is required to be issued so as to ensure and promote adequate facilities for fire safety/fire safety awareness.

**Chronology:**

Date	Event
21/01/2020	FRNSW correspondence received regarding premises 51-55 Missenden Road, Camperdown [Alfred Hotel].
23/01/2020	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 31 July 2020. The building is also listed as local heritage item as noted in Council's Local Environment Plan.
30/01/2020	<p>An inspection of the subject premises was undertaken by a Council officer in the presence of the manager of the Alfred Hotel.</p> <p>The inspection revealed a number of fire safety concerns that will need to be addressed by way of a Fire Safety Order.</p>



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## **FIRE AND RESCUE NSW REPORT:**

References: [BFS19/3671 (9461) & D20/3287]

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 the Alfred Hotel, in particular noting concerns with:

1. Inadequate provision for smoke detection and alarm in the event of a fire.
2. The location of an access to the fire indicator panel.
3. Whether smoke alarms or detectors have been provided within each bedroom on level 1.
4. Obstruction of sprinkler heads within the basement cellar and provision of a spanner to the stock of replacement sprinkler heads.
5. The exit and directional signage appears inadequate.
6. Portable fire extinguisher are not readily accessible throughout the premises.
7. Extended travel to a single exit on level 1.
8. The fire separation of the enclosure under the required egress stairway serving the Class 3 hotel accommodation.
9. The final exit doors swing against the path of egress to the road / open space.
10. Required exit doors have been fitted with non-compliant locking mechanisms such as bolts and padlocks.
11. The Annual Fire Safety Statement was not prominently displayed in the building.

### 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. 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 a site inspection undertaken by Council investigation officers it is recommended that Council exercise its powers to give a notice of intention (NOI) for a fire safety order to be issued under Schedule 5 of the Environmental Planning and Assessment Act, 1979 to address the fire safety deficiencies identified by FRNSW and Council's building officer.

The issue of a fire safety order will ensure that suitable fire safety systems are in position throughout the building to provide improved and adequate provisions for fire safety

That the Commissioner of FRNSW be advised of Council's actions and determination.

**Referenced documents:**

<b>No#</b>	<b>Document type</b>	<b>Trim reference</b>
A1.	Fire and Rescue NSW report	2020/060310-01
A2.	Locality Plan	2020/060310-02
A3	Attachment cover sheet	2020/060310-03

**Trim Reference:** 2020/060310

**CSM reference No#:** 2230380



File Ref. No: BFS19/3671 (9461)  
TRIM Ref. No: D20/3287  
Contact: [REDACTED]

21 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 Sir / Madam

**Re: INSPECTION REPORT  
'ALFRED HOTEL'  
51 MISSENDEN 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. Smoke Detection and Alarm System

- A. The ground floor of 'the premises' contains heat detectors in lieu of smoke detectors, contrary to the requirements of Specification E2.2a of the NCC.
- B. The Fire Indicator Panel (FIP) is located in the basement level, in the cellar room under the main bar area, accessed by a non-compliant stairway from the staff area behind the bar. The location of the FIP is not identifiable and not easily accessed as there were items on the floor in front of the FIP (beer kegs and boxes) obstructing clear access to the controls and indicators, contrary to the requirements of Clause 3.9 of Australian Standard (AS) 1670.1-2018.
- C. Access could not be obtained to any of the sole-occupancy units (SOUs) located on the first-floor of the premises at the time of the inspection, to confirm the type and/or operation of the smoke detection/alarm system within the SOUs. Council may need to review its' records and confirm whether smoke detection/alarms have been approved and maintained.

#### 1B. Sprinkler System

- A. One (1) of the sprinkler heads located within the basement cellar room was covered with tape.
- B. A spanner had not been provided at the sprinkler control valves, contrary to the requirements of Clause 6.7 of AS 2118.1-1999.

#### 1C. Exit Signage

- A. A review of the exit signage may be required as a result of the following observations:

- i. The exit sign above the door located within the 'gaming room', was missing the pictorial element. The door leads to the behind the staff area behind the bar, and management advised that the door was no longer regarded as an exit.
- ii. There are two (2) other doors in the 'gaming room', one leads into the main area of the premises and the other out to Dunblane Street, however neither are marked as a required exit.
- iii. Management advised that the door leading to Dunblane Street was regarded as the exit, however it is noted that a roller shutter is incorporated into the door frame.

1D. Portable Fire Extinguisher (PFE)

- A. Some of the PFEs throughout the premises were not readily accessible, contrary to the requirements of Clause 3.2 of AS 2444-2001.

2. Access and Egress

- 2A. Exit travel distance – The first-floor accommodation area is served by a single exit where the travel distance to the exit from the entrance doorway of the furthest sole-occupancy unit appeared to be approximately 20m, contrary to the requirements of Clause D1.4(a) of the NCC.
- 2B. Enclosure of space under stairs – The space beneath the required non fire-isolated stairway associated with the first-floor accommodation area, was enclosed to form a cupboard and did not appear to consist of enclosing walls and ceiling achieving an FRL of not less than 60/60/60 and a self-closing -/60/30 fire door, contrary to the requirements of Clause D2.8(b) of the NCC. It is noted that the storage area contains a sprinkler head.
- 2C. Door swing – Some doors in a required exit swing against the direction of egress, contrary to the requirements of Clause D2.20 of the NCC.
- 2D. Latching – Additional latching (slide bolt and pad lock) were attached to the exit door leading to Dunblane Street from the 'beer garden', which are capable of interfering with the operation of the door when in the locked position, contrary to the requirements of Clause D2.21 of the NCC.

3. Generally

- 3A. A copy of the current annual fire safety statement (AFSS) and a copy of the fire safety schedule were not prominently displayed in the building



(the displayed AFSS was dated 25 August 2017), contrary to the requirements of Clause 177 of the EP&A Regulation.

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

## RECOMMENDATIONS

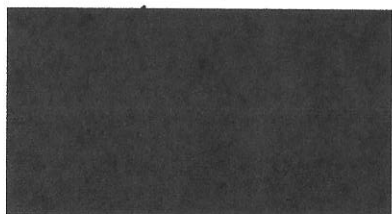
FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 through to item no. 3 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 BFS19/3671 (9461) for any future correspondence in relation to this matter.

Yours faithfully



Fire Safety Compliance Unit