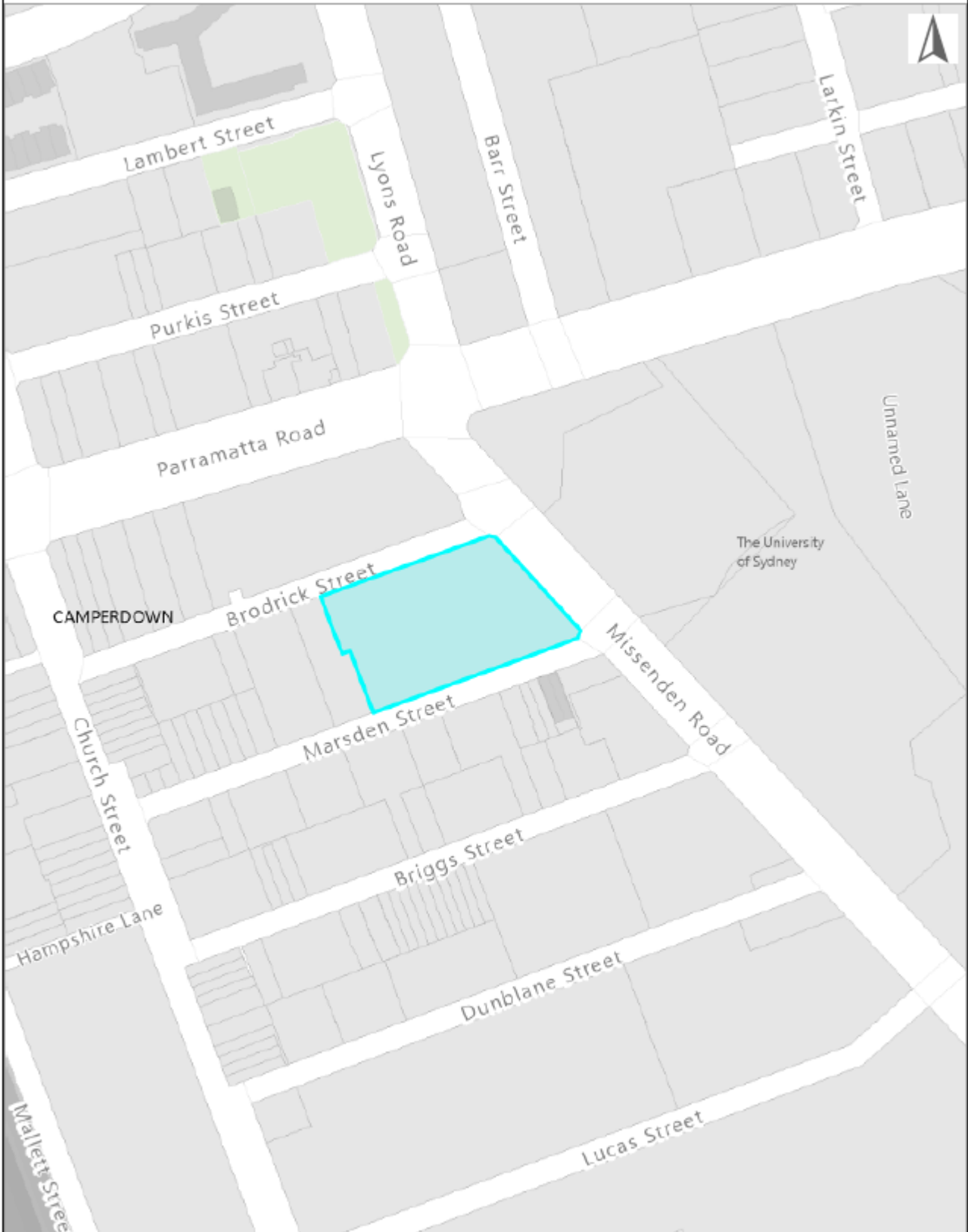


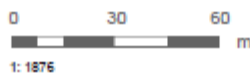
Attachment I

**Inspection Report
3-19 Missenden Road, Camperdown**

3-19 Missenden Road, Camperdown



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Notes

5/10/2023

**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)**

File: CSM 3037594

Officer: T McCann

Date: 09 October 2023

Premises: 3-19 Missenden Road, Camperdown

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) on 21 August 2023 in relation to the premises 3-19 Missenden Road, Camperdown with respect to matters of fire safety. FRNSW inspected the premises after a member of the public raised concerns regarding fire safety issues.

The premises (known as Rydges Camperdown) is located on Missenden Road and consists of hotel accommodation situated over eight (8) storeys.

An inspection of the premises undertaken by a Council investigation officer on 05 October 2023, in the presence of the hotel manager revealed that the premises are deficient in fire safety measures and egress provisions in the following areas:

- i. Suitable fire resisting construction to prevent the spread of fire.
- ii. Safe emergency egress for occupants to safely evacuate the building in the event of a fire.
- iii. Poor fire safety management systems (signs/notices/not displayed etc.) in place

On 27 October 2023, a Notice of Intention to issue a fire safety order was issued.

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

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.

Chronology:

Date	Event
21/08/2023	FRNSW correspondence received regarding premises "Rydges Camperdown" 3-19 Missenden Road, Camperdown.
02/10/2023	A review of City records shows the fire safety schedule contains twenty-one (21) essential fire safety measures, including an automatic fire detection system, and other fire safety measures typical for a building of this classification all of which have been certified as operational and compliant until 21 October 2023 when due for recertification.
05/10/2023	An inspection of the subject premises was undertaken by a Council Officer on 5 October 2023 in the presence of the hotel manager. All common areas of buildings were inspected, and access was also provided to the hotel rooms. The hotel rooms inspected appeared compliant in relation to fire safety. Aside from the comments made by FRNSW, Council noted one additional non-compliance requiring action. <ol style="list-style-type: none"> 1. A path of travel from one of the fire isolated stairways discharges to an external stairway that necessitates passing an unprotected opening (mechanical vent) within less than the permitted 6m (approximately 1m) prior to being able to reach a safe exit. Issues specifically raised by FRNSW and responses to those issues, are summarised in the following table.
27/10/2023	Notice of Intention to Give a fire safety order (NOI) issued

FIRE AND RESCUE NSW REPORT:

References: BFS22/3720 (22724)

Fire and Rescue NSW conducted an inspection of the subject premises on 21 August 2023 after a member of the public raised concerns regarding fire safety issues.

Issues

The report from FRNSW detailed a number of issues, in particular noting:

Ref.	Issues identified	City response
Essential Fire Safety Measures		
1A	Automatic Fire Detection and Alarm System	
A	The automatic fire detection and alarm system appears to have been installed in accordance with AS 1670-1986. Notwithstanding this, the following deviations from AS 1670.1-2018 and NCC 2022 have been identified, which are of concern to FRNSW: The location of the Fire Indicator Panel (FIP) within the Fire Control Centre was not signed, contrary to the requirements of Clause 3.9.2 of AS 1670.1-2018.	The automatic fire detection and alarm system is scheduled for a voluntary upgrade to AS 1670.1-2018 within the next month by the Owners. This will be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order. In the interim, temporary signage will be put in place to alert the attending FRNSW personnel to the location of the main Fire Indicator Panel within the Fire Control Centre.
B	The automatic fire detection and alarm system incorporated many thermal detectors throughout the building. In many cases, thermal detectors were located in areas where smoke detectors would have been suitable, contrary to the	The automatic fire detection and alarm system is scheduled for a voluntary upgrade to AS 1670.1-2018 within the next three (3) months by the Owners, this will be addressed as part of the final fire safety

Ref.	Issues identified	City response
	requirements of Specification 20 of the NCC.	audit and certification, prior to the closure of the Fire Safety Order
C	The FIP indicated a “card fault”, contrary to AS 1670.1-2018 requirements.	A fire safety technician attended on 23 & 24 October and fault is now resolved.
D	Smoke detectors were installed less than 900 mm from what may be air supply vents, contrary to the requirements of Clause 5.1.4 of AS 1670.1-2018.	The automatic fire detection and alarm system is scheduled for a voluntary upgrade to AS 1670.1-2018 within the next three (3) months by the Owners, this will be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.
1B	Fire Hydrant System	
A	The fire hydrant system appears to have been installed in accordance with Ordinance 70 and Ministerial Specification No.10. Notwithstanding this, the following deviations from AS 2419.1-2021 have been identified, which are of concern to FRNSW: The doors to the fire hydrant booster cabinet were not able to be held open, contrary to the requirements of Clause 11.2.2 of AS 2419.1-2021.	Noted. To be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.
B	The height of the fire hydrant valve outlets and fire brigade booster connection inlets at the booster assembly is less than 750 mm from the standing surface, contrary to the requirements of Clause 7.5.3 of AS 2419.1-2021.	Noted. To be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.
C	The fire hydrant valve outlets at the booster assembly do not face the hardstand area, contrary to Clause 7.3.3 of AS 2419.1-2021 requirements.	Noted. To be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.
D	The feed fire hydrant valves at the fire hydrant booster did not have adequate clearance around the handwheels, contrary to Clause 7.5.1 of AS 2419.1-2021 requirements.	Noted. To be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.
1C	Sprinkler System	
A	The fire sprinkler system appears to have been installed in accordance with AS 2118.1-1999. Notwithstanding this, the following deviations from Clause 4.14 of AS 2118.1-2017 have been identified, which are of concern to FRNSW: The doors to the fire hydrant booster cabinet were not able to be held open, contrary to the requirements of Clause 11.2.2 of AS 2419.1-2021.	Noted. To be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.
B	The height of the fire hydrant valve outlets and fire brigade booster connection inlets at the booster assembly is less than 750 mm from the standing surface, contrary to	Noted. To be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.

Ref.	Issues identified	City response
	the requirements of Clause 7.5.3 of AS 2419.1-2021.	
C	The feed fire hydrant valves at the sprinkler booster assembly do not face the hardstand area, contrary to Clause 7.3.3 of AS 2419.1-2021 requirements.	Noted. To be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.
D	The feed fire hydrant valves at the fire hydrant booster did not have adequate clearance around the handwheels, contrary to Clause 7.5.1 of AS 2419.1-2021 requirements.	Noted. To be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.
1D	Portable Fire Extinguishers	
A	A portable fire extinguisher was missing from its mounting bracket within the fire control centre, contrary to Clause E1D14 of the NCC and AS 2444-2001 requirements.	At the time of Councils inspection this item was compliant.
2	Compartmentation and Separation	
2A	The fire-isolated stairs include services other than those allowed under Clause C4D10 of the NCC. The services appear to breach the fire-separating elements of the stairway.	Noted. To be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.
3	Egress	
3A	The doors in the path of travel to the exits from the office area incorporated latches that do not comply with the requirements of Clause D3D26 of the NCC.	Noted. To be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.
3B	The discharge side of the exit door from the swimming pool area needs to be provided with a bollard to prevent the parking of vehicles. A lack of bollards is contrary to the requirements of Clause D2D15 of the NCC.	Noted. To be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.
3C	The doors leading to the fire-isolated stairs encroach excessively into the path of travel in the stairway, contrary to the requirements of Clause D3D25 of the NCC.	Noted. To be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.
4	Generally	
4A	<p>Hydrant Position Statement – In light of the observations of the fire hydrant system, FRNSW brings to your attention a position statement published by FRNSW on 8 January 2019. The position statement is provided below:</p> <p><i>Fire hydrant system in existing premises</i> <i>When the consent authority (e.g., Council) is assessing the adequacy of an existing fire hydrant system installed in accordance with the provisions of Ordinance 70 and Ministerial Specification 10 (or earlier), FRNSW recommends that</i></p>	Noted. To be addressed as part of the final fire safety audit and certification, prior to the closure of the Fire Safety Order.

Ref.	Issues identified	City response
	<p><i>the system be upgraded to meet the requirements of the current Australian Standard AS 2419.1 to facilitate the operational needs of FRNSW.</i></p> <p><i>It may be appropriate for a partial upgrade of the existing fire hydrant system be undertaken. A partial upgrade may be proposed to address deficiencies in the design and/or performance of the existing fire hydrant system, when assessed against the requirements of Australian Standard AS 2419.1, so that the upgraded fire hydrant system will meet the operational needs of FRNSW.</i></p> <p><i>Where a hybrid fire hydrant system is proposed, which incorporates the design and performance requirements from two different standards, the proponent should consult with FRNSW on the requirements for the fire hydrant system.</i></p>	

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

FRNSW Recommendations

FRNSW have made recommendations within their report.

FRNSW have made eighteen (18) recommendations within their report. In general, FRNSW have requested that Council:

- a. Inspect and address item no. 1 of this report.
- b. Address any other deficiencies identified on “the premises”.

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 *Environmental Planning and Assessment Act 1979*.

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)
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As a result of a site inspection undertaken by Council investigation officers, Notice of Intentions (NOI) to issue an order have been served on the owners of each building. Following consideration of any representations made in relation to the NOI and works under taken, it is recommended that Council exercise its powers for officers to progress to serving a fire safety order under Schedule 5 of the Environmental Planning and Assessment Act, 1979 to address the fire safety deficiencies identified by FRNSW and the Council investigation 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/Attached Documents:

2023/490129	A copy of the correspondence from FRNSW
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Trim Reference: 2023/490129-01

CSM reference No#: 3037594

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File Ref. No: BFS22/3720 (22724)
TRIM Ref. No: D23/077309
Contact: [REDACTED]

21 August 2023

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
RYDGES CAMPERDOWN
9 MISSENDEN ROAD, CAMPERDOWN ("the premises")**

Fire and Rescue NSW (FRNSW) received correspondence on 26 July 2022 concerning the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated, in part, that:

While in my room Saturday morning about 10am the fire alarm went off. I was in room 207 and a fire escape was right next to my door, on my left when exiting the room. I exited promptly only to find myself stranded on a dead-end balcony ten meters above the street, as the fire escape had been permanently sealed off.

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 26 July 2023.

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.

The items listed in the comments of this report are based on the following limitations:

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		Page 1 of 5

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- A general overview of the building was obtained without using the development consent conditions or approved floor plans as a reference.
- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.

COMMENTS

The following items were identified during the inspection:

1. Essential Fire Safety Measures

1A. Automatic Fire Detection and Alarm System

The automatic fire detection and alarm system appears to have been installed in accordance with AS 1670-1986. Notwithstanding this, the following deviations from AS 1670.1-2018 and NCC 2022 have been identified, which are of concern to FRNSW:

- A. The location of the Fire Indicator Panel (FIP) within the Fire Control Centre was not signed, contrary to the requirements of Clause 3.9.2 of AS 1670.1-2018.
- B. The automatic fire detection and alarm system incorporated many thermal detectors throughout the building. In many cases, thermal detectors were located in areas where smoke detectors would have been suitable, contrary to the requirements of Specification 20 of the NCC.
- C. The FIP indicated a “card fault”, contrary to AS 1670.1-2018 requirements.
- D. Smoke detectors were installed less than 900 mm from what may be air supply vents, contrary to the requirements of Clause 5.1.4 of AS 1670.1-2018.

1B. Fire Hydrant System

The fire hydrant system appears to have been installed in accordance with Ordinance 70 and Ministerial Specification No.10. Notwithstanding this, the following deviations from AS 2419.1-2021 have been identified, which are of concern to FRNSW:

- A. The doors to the fire hydrant booster cabinet were not able to be held open, contrary to the requirements of Clause 11.2.2 of AS 2419.1-2021.
- B. The height of the fire hydrant valve outlets and fire brigade booster connection inlets at the booster assembly is less than 750 mm from

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the standing surface, contrary to the requirements of Clause 7.5.3 of AS 2419.1-2021.

- C. The fire hydrant valve outlets at the booster assembly do not face the hardstand area, contrary to Clause 7.3.3 of AS 2419.1-2021 requirements.
- D. The feed fire hydrant valves at the fire hydrant booster did not have adequate clearance around the handwheels, contrary to Clause 7.5.1 of AS 2419.1-2021 requirements.

1C. Sprinkler System

The fire sprinkler system appears to have been installed in accordance with AS 2118.1-1999. Notwithstanding this, the following deviations from Clause 4.14 of AS 2118.1-2017 have been identified, which are of concern to FRNSW:

- A. The doors to the fire hydrant booster cabinet were not able to be held open, contrary to the requirements of Clause 11.2.2 of AS 2419.1-2021.
- B. The height of the fire hydrant valve outlets and fire brigade booster connection inlets at the booster assembly is less than 750 mm from the standing surface, contrary to the requirements of Clause 7.5.3 of AS 2419.1-2021.
- C. The feed fire hydrant valves at the sprinkler booster assembly do not face the hardstand area, contrary to Clause 7.3.3 of AS 2419.1-2021 requirements.
- D. The feed fire hydrant valves at the fire hydrant booster did not have adequate clearance around the handwheels, contrary to Clause 7.5.1 of AS 2419.1-2021 requirements.

1D. Portable Fire Extinguishers

- A. A portable fire extinguisher was missing from its mounting bracket within the fire control centre, contrary to Clause E1D14 of the NCC and AS 2444-2001 requirements.

2. Compartmentation and Separation

- 2A. The fire-isolated stairs include services other than those allowed under Clause C4D10 of the NCC. The services appear to breach the fire-separating elements of the stairway.

3. Egress

- 3A. The doors in the path of travel to the exits from the office area incorporated latches that do not comply with the requirements of Clause D3D26 of the NCC.

- 3B. The discharge side of the exit door from the swimming pool area needs to be provided with a bollard to prevent the parking of vehicles. A lack of bollards is contrary to the requirements of Clause D2D15 of the NCC.
- 3C. The doors leading to the fire-isolated stairs encroach excessively into the path of travel in the stairway, contrary to the requirements of Clause D3D25 of the NCC.

4. Generally

- 4A. Hydrant Position Statement – In light of the observations of the fire hydrant system, FRNSW brings to your attention a position statement published by FRNSW on 8 January 2019. The position statement is provided below:

Fire hydrant system in existing premises

When the consent authority (e.g. Council) is assessing the adequacy of an existing fire hydrant system installed in accordance with the provisions of Ordinance 70 and Ministerial Specification 10 (or earlier), FRNSW recommends that the system be upgraded to meet the requirements of the current Australian Standard AS 2419.1 to facilitate the operational needs of FRNSW.

It may be appropriate for a partial upgrade of the existing fire hydrant system be undertaken. A partial upgrade may be proposed to address deficiencies in the design and/or performance of the existing fire hydrant system, when assessed against the requirements of Australian Standard AS 2419.1, so that the upgraded fire hydrant system will meet the operational needs of FRNSW.

Where a hybrid fire hydrant system is proposed, which incorporates the design and performance requirements from two different standards, the proponent should consult with FRNSW on the requirements for the fire hydrant system.

FRNSW believes that there are inadequate provisions for fire safety within the building.

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Review items 1 to 4 of this report and conduct an inspection.
- b. Ensure that the existing fire hydrant system is upgraded to meet the requirements of AS 2419.1-2021 for an equivalent new building or a hybrid system that suits the operational requirements of 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. This matter is referred to Council as the appropriate regulatory authority. FRNSW awaits the Council's advice regarding its determination under Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call [REDACTED] if there are any questions or concerns about the above matters. Please refer to file reference BFS22/3720 (22724) regarding any correspondence concerning this matter.

Yours faithfully

[REDACTED]

[REDACTED]

Fire Safety Compliance Unit