



File Ref. No: BFS22/453 (SRID 8000019545)  
TRIM Ref. No: D22/16403  
Contact: Edren Ravino

23 March 2022

Chief Executive Officer  
Parramatta City Council  
PO Box 32  
PARRAMATTA NSW 2124

E-mail: [council@cityofparramatta.nsw.gov.au](mailto:council@cityofparramatta.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Chief Executive Officer

**Re: INSPECTION REPORT  
'CROWN HOTEL'  
1/295 CHURCH STREET PARRAMATTA ("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 4 February 2022 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.

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.

## NOTICE OF PROPOSED ORDER

Following the inspection on 4 February 2022, FRNSW issued a Notice to Serve a Proposed Order (1) dated 8 February 2022 (copy attached). The notice of intention was issued in accordance with the provisions of Section 9.34 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). FRNSW did not receive written representations within the nominated timeframe in relation to the proposed **Order 1** in accordance with the provisions of Schedule 5, Part 6, Section 8 of the EP&A Act.

## RE-INSPECTION

A re-inspection was conducted in accordance with Section 9.32 of the EP&A Act, and Clause 112 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR2021) on 23 February 2022 after the nominated timeframe for the Notice of Proposed Order had expired. Please be advised that after the inspection, FRNSW has determined not to give an Order in accordance with Schedule 5, Part 7, Section 15 of the EP&A Act.

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 however, the proceeding concerns also identifies deviations from the National Construction Code 2019, Volume 1 Building Code of Australia (NCC). Given the concerns are based on observations available at the time FRNSW acknowledges that the deviations may contradict development consent approval. In this regard, it would be at council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

The following items were identified as concerns during the inspection:

1. Essential Fire Safety Measures
  - 1A. Annual Fire Safety Statement (AFSS) – Clause 89(2) of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021) mandates timeframes for the owner to submit to council an AFSS. At the time of the inspection, the date on the displayed AFSS was 23 June 2020.
  - 1B. Maintenance – Clause 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021) requires Essential Fire Safety Measures be maintained to a standard no less than when it was first installed. The following was noted at the time of the inspection:
    - A. Exit signs – A number of exit signs that were either not operating when the test button was pressed or were not illuminated.
    - B. Fire Detection Control and Indicating Equipment (FDCIE) – At the time of the inspection on 4 February 2022 there were faults and isolations. A notice of proposed order was issued to repair the faults and isolations only. A reinspection on 23 February confirmed that the faults and isolations had been cleared.

- C. FDCIE – The following comments consider Australian Standard AS1670.1:2015 – ‘Fire detection, warning, control and intercom systems—System design, installation and commissioning’:
- i. Visual Warning Device (VWD) Strobe – Clause 3.8 requires a strobe to be visible from the main approach of “the premises” and be as near as practicable to the Designated Building Entry Point (DBEP). At the time of the inspection, a VWD strobe could not be located external of the building.
  - ii. Zone Block Plan – Clause 3.10 of the Australian Standard 1670.1 -2015 requires a Zone Block Plan to be securely mounted and located adjacent to the fire detection control and indicating equipment (FDCIE). At the time of the inspection, a Zone Block Plan could not be located.
- D. Logbooks – Clause 1.16.2 of Australian Standard AS1851-2012 (amendment 1) - “Service of fire protection systems and equipment”, requires service logbooks to be left on site to record all entries of maintenance to the smoke detection and alarm system. At the time of the inspection the following entries were noted:
- i. The entry on 3 December 2020 was the last time the FDCIE was free of faults or isolations.
  - ii. The entry on 15 March 2021 was the last recorded entry into the logbook. The record outlined faults requiring repair.
  - iii. There was an entry noting that the Alarm Signalling Equipment (ASE) required connecting prior to an AFSS being issued.
- E. General Observations – The following anomalies were noted:
- i. The AFSS lists a building occupant warning system (BOWS). The LED fault light was lit for the BOWS on the FDCIE. A visual inspection could not locate BOWS within the building.
  - ii. The ASE was not installed within the FDCIE panel display. Confirming the entry in the logbook that the ASE was not connected.
- 1C. Smoke Detection – Clause 4, Specification E2.2a of the NCC requires, all Class 2-9 buildings smoke detectors to be installed to Australian Standard AS1670.1. Council may need to audit the location and spacings of the smoke detectors as the number and location of the detectors appeared insufficient, and not to the required standard.

- 1D. Sprinkler System – The displayed standard for the Sprinkler System is ‘Fire Sprinkler System CA16’ which was typically installed prior to 1969. At first sight, the system appears to have been modified. As such, if a modification to the system has occurred, the system may be different to CA16. Consideration may need to be given for council to use its discretion to consider an upgrade.
2. Access and Egress
    - 2A. Exit Signs – Performance Requirement EP4.2 of the NCC requires that suitable signs be installed to identify the location of exits. At first sight, there is insufficient cues to identify where the exits are located. Moreover, it appears that there are sliding doors that are signposted as exit doors on the first floor and gaming area, where a button is used to open the doors. A review of the exit strategy may be required.
    - 2B. Paths to an Exit – Clause 109 of EPAR 2021 restricts the placement of anything that may obstruct the free passage of the occupants in a fire exit. This includes the placement of items that interfere with or obstruct a fire exit door, the operation of a fire exit door, or the operation of a fire door providing access to a building’s fire exit. At the time of the inspection, there was a sofa placed in front of the exit door into the fire isolated stair. The sofa was promptly removed by staff, the moment it was identified.
  3. Compartmentation
    - 3A. Building Classification – There was an area that was under renovation that included a performance stage. It is unclear whether this area would be renovated to include performances and the like. It would be at council’s discretion to review its records regarding the existing use and whether the area between the “stage” area and “bar / restaurant” requires separation.
  4. Generally
    - 4A. Building Work Requiring Approval – Clause 123 of the Environmental Planning and Assessment Regulation 2021, requires a Complying Development Certificate application for the installation of a new Alarm Signalling Equipment (ASE). Given the installation of a new ASE is considered building work, FRNSW omitted its installation from the notice of proposed order. Particularly as its installation requires consent prior to installation. As such, it would be at council’s discretion to confirm its installation is authorised, compliant and maintained with the approved standards under Clause 81 of the EPAR 2021.
    - 4B. Building Work Generally – At the time of the inspection, the owners of the business indicated that the building work that is currently underway is considered exempt development. An inspection by council may be required for the following reasons:

- A. There appears to be work that may require consent. This includes but not limited to:
  - i. The work to the fire isolated stairs that exits toward Freemasons Arms Lane on the western elevation of the building, and
  - ii. The proposed performance area, where the stage is located.
- B. The essential fire safety measures appear to have been altered. The alterations may require council to audit the changes, as it appears that the approved measures have been removed and may be less than the standard when it was first installed. As a result, it may not be considered exempt development as indicated by the owners of the business.

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 Edren Ravino of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS22/453 (SRID 8000019545) for any future correspondence in relation to this matter.

Yours faithfully



Edren Ravino  
Senior Building Surveyor  
Fire Safety Compliance Unit

Attachments [Appendix 1 -Proposed Order dated 8 February 2022 - 2 pages]

Unclassified



## Proposed Fire Safety Order ORDER No. 1

Under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*  
*Part 9 Implementation and Enforcement – Division 9.3 Development Control Orders*  
*Fire Safety Orders in accordance with the table to Part 2 - Schedule 5.*  
*Intend to give an Order in accordance with Section 9.34(1)(b)*

I, **Edren Ravino** Senior Building Surveyor 903766  
(name) (rank) (number)

being an authorised Fire Officer within the meaning of Schedule 5, Part 8, Section 16 of the *Environmental Planning and Assessment Act 1979*, and duly authorised for the purpose, hereby order:

**295 Church Street (LAND) PTY LTD** Owners  
(name of person whom Order is served) (position i.e. owner, building manager)

with respect to the premise

**'CROWN HOTEL'**  
**LOT 12, 234508, 1/295 CHURCH STREET PARRAMATTA ("the premises")**  
(name/address of premises to which Order is served)

to do, or refrain from doing, the following things:

Repair the smoke detection and alarm system so that it is operational to the designed and installed standard by repairing the faults and disablements.

The terms of the Order are to be complied with:

By no later than 14 days from the date of the order

The reasons for the issue of this Order are:

- a. At the time of the inspection on 4 February 2022 the following was observed on the Fire Indicator Panel (FIP):
  - (i) The LED for Faults, Disable and Alarm Device Fault was Lit.
  - (ii) The entry on 3 December 2020 recorded the last time the FIP was free of faults or isolations.

Fire and Rescue NSW	ABN 12 593 473 110	<a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a>
Community Safety Directorate	1 Amarina Ave	T (02) 9742 7434
Fire Safety Compliance Unit	Greenacre NSW 2190	F (02) 9742 7843
<a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a>		Page 3 of 4

Unclassified

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- (iii) Between 3 December 2020 until 15 March 2021 the following entries were recorded in the maintenance logbook:
  - i. Fire Alarm signal received at fire control station – offline and known
  - ii. Condition of battery cabinet and battery storage – battery fault low voltage on display. Have provided quote to fix. Await approvals.
  - iii. ASE (Alarm Signalling Equipment) to be connected before annual.
  - iv. Alarm on Zone # 1 Sprinklers test OK.
- (iv) The last entry recorded into the maintenance logbook was 15 March 2021.
- b. Repairing the fault to the Automatic Smoke Detection and Alarm systems for the building ensures that in the event of a fire, the smoke provides a timely and automatic response by emergency services in an event of a fire or emergency.
- c. The automatic identification and notification that is provided by the FIP is diminished by the faults and isolations. As a result, it is likely that the evacuation routes from “the premises” may be compromised by poor visibility and high levels of toxicity that may endanger human life.
- d. To do, or refrain from doing such things that are specified in the Order, so as to ensure or promote adequate fire safety or fire safety awareness.

#### Appeals

Pursuant to Section 8.18 of the Environmental Planning & Assessment Act 1979 (EP&A Act), there is no right of appeal to the Court against this Order, other than an order that prevents a person using or entering premises.

#### Non-Compliance with the Order

Failure to comply with this Order may result in further Orders and/or fines being issued.

Substantial penalties may be imposed under Section 9.37 of the EP&A Act for failure to comply with an Order.

**NOTE:** Representations are to be made in writing and should be received by FRNSW by no later than close of business 22 February 2022.



Edren Ravino  
Senior Building Surveyor  
Fire Safety Compliance Unit

This Proposed Fire Safety Order No. 1 was sent by mail and posted on the building on 8 February 2022.

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