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Contact: Edren Ravino

23 May 2022

Chief Executive Officer
Parramatta City Council
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Attention: Manager Compliance/Fire Safety

Dear Chief Executive Officer

**Re: INSPECTION REPORT
'ALBION HOTEL'
135 GEORGE ST, 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.

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 items identifies deviations from the National Construction Code 2019, Volume 1 Building Code of Australia (NCC). Given the items 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. Heat Detectors – Clause C3.27.1 of AS1670.1 outline circumstances where 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 around the premises has been approved.
- 1B. Hydrant System – Clause E1.3 of the NCC requires a fire hydrant system to be installed in accordance with Australian Standard AS2419.1 where buildings consist of a total floor area greater than 500m². The total floor area of the building appears to be greater than 500m².

2. Access and Egress

- 2A. Fire Exits and Fire Exit Doors – Clause 109 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021), requires that items must not be placed in a fire exit area for a building that may obstruct the free passage of persons. Or interfere with or obstruct without lawful excuse a fire exit door or the operation of a fire exit door for a building. Which includes the operation of a fire door providing access to a building's fire exit. At the time of the inspection plants were observed in front of the signposted exit gates. The plants were promptly removed once management was advised of the obstruction.

3. Generally

- 3A. Small Live Music or Arts Venue – Clause 4 of the Environmental Planning and Assessment Regulation 2021 (EP&A Reg 2021) defines a Class 6 building or part of a Class 6 building where people assemble for entertainment (being live music or arts), remains a Class 6 building provided the building has a 'rise in storeys' of no more than 2 storeys, and has a floor area of no more than 300 m². The premises may be considered an assembly building as the floor area appears to exceed 300 m² where the nightclub (discotheque) is located. As such the class of the building may require review.

- 3B. Maximum Capacity Signage – Clause 73 of the Environmental Planning and Assessment Regulation 2021 (EP&A Reg 2021) requires a sign be displayed in a prominent position in the building stating the maximum number of persons. Provided a maximum number is specified in the development consent (which includes an existing development consent) for the following uses of a building:

- A. an entertainment venue,
- B. a function centre,
- C. a pub,
- D. a registered club,
- E. a restaurant or cafe.

At the time of the inspection, a sign stating the maximum number of persons could not be located. A review may be required by council to confirm whether a maximum number is specified in the development consent.

- 3C. It appears that the first floor was previously used as a Class 3 boarding house. However, it now appears to be used for storage. Council may need to review the following:

- A. The first floor includes Australian Standard AS3786 smoke alarms installed throughout the storey.
- B. For Clause 4 smoke detection and alarm systems, Clause 3.27.1 of Australian Standard AS1670.1:2018 – ‘Fire detection, warning, control and intercom systems – System design, installation and commissioning’ requires detectors throughout the building. The first floor may require the installation of smoke detectors, rather than smoke alarms.

- 3D. Smoke Hazard Management – At the time of the inspection there was a fault displayed on the Fire Detection Control and Indicating Equipment (FDCIE). The manager indicated that:

- A. The location of the detector had been affected by rain and short circuited, resulting in a single fault to one detector.
- B. Without prompting, the manager advised that she was aware of the fault and a service technician had been engaged to replace the detector the following day.
- C. This matter is referred to council for its discretion to determine whether the single detector had been replaced.

- 3E. Maintenance – An investigation may be required by council as the appropriate regulatory authority, to confirm that the maintenance of the

essential fire safety systems meets the local council's obligations for an Annual Fire Safety Statement and development approval. Specifically, that the policy and procedures meet council's obligations to ensure the essential fire safety measures are maintained to a standard, no less than that to which the measure was originally designed and implemented.

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 Edren Ravino of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS22/448 (SRID 19542) for any future correspondence in relation to this matter.

Yours faithfully



Edren Ravino
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Fire Safety Compliance Unit