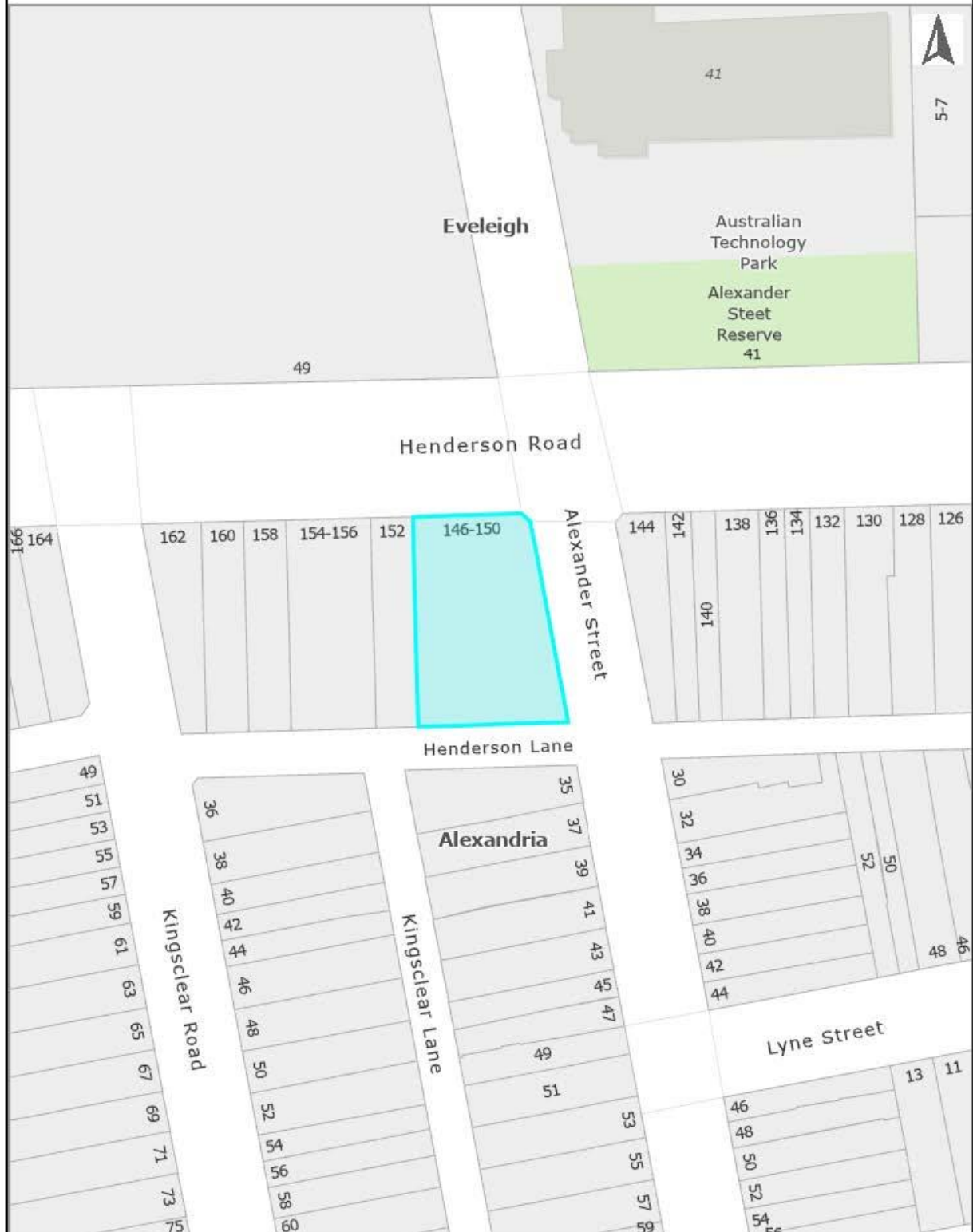


Attachment B

**Inspection Report
146-150 Henderson Road, Alexandria**



© City of Sydney Council 2025. All Rights Reserved.
 This map has been compiled from various sources and the publisher and contributors accept no responsibility for any injury, loss or damage arising from the use, error or omission thereon. While all care is taken to ensure a high degree of accuracy, users are invited to notify Council's Spatial Services of any map discrepancies.
 No part of this map may be reproduced without written permission.

0 10 20 m
 1:846

Notes

901/2025

**City of Sydney 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 3248896

Officer: Tanya O'Casey

Date: 20 December 2024

Premises: 146-150 Henderson Road, Alexandria NSW 2015

Executive Summary:

On 1 November 2024, the City of Sydney ('the City') received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) regarding fire safety concerns at the Camelia Grove Hotel. This three-storey mixed-use development includes a hotel, restaurant, and short-term residential accommodation.

The premises has development consent to merge 146-150 Henderson Road with the adjacent residential property at 152 Henderson Road. However, the related construction work was carried out without the necessary construction certificate and is defective. In response to these unauthorised works, the City issued a Notice of Intention to give an Order (NOI) on 31 October 2024 requiring a Fire Safety Audit for the whole building. The potentially unlawful use of 152 Henderson Road was referred to the City's Building Compliance team for investigation.

An inspection by an investigation officer on 25 November 2024, accompanied by the Building Manager, revealed ongoing deficiencies in fire safety and egress provisions, specifically in the following areas:

1. Inadequate fire detection and alarm systems.
2. Insufficient firefighting facilities.
3. Lack of fire-resistant construction to prevent the spread of fire.
4. Unsafe and undignified emergency egress for occupants.
5. Poor fire safety management systems.

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

No representations were received in response to the NOI dated 31 October 2024, and the subsequent Fire Safety Order (Order) was issued on 13 January 2025. The Order requires the submission of a Fire Safety Audit for the whole building be submitted by 13 May 2025. Depending on the findings of the Audit, the City will require the building to be upgraded as appropriate.

Chronology:

Date	Event
14 June 2024	Initial property inspection to investigate unauthorised works between 146-150 and 152 Henderson Road, Alexandria.
01 September 2024	FRNSW received concerns regarding the adequacy of the provision for fire safety in connection with 'the premises'. Specifically, that a fire exit door was being blocked by milk crates and other objects.
10 September 2024	FRNSW inspected the premises.
31 October 2024	The City issued a Notice of Intention (NOI) to issue a fire safety order requiring an audit of the building.
01 November 2024	The City received FRNSW correspondence regarding premises 146-150 Henderson Road, Alexandria
25 November 2024	An inspection of the subject premises was undertaken by a Council officer. The inspection revealed that generally the fire services within the building were being maintained. Non-compliant items are subject of the NOI issued 31 October 2024.
13 January 2025	Fire Safety Order issued in accordance with the NOI.

FIRE AND RESCUE NSW REPORT:

References:

File Ref. No: FRN24/2709 - BFS24/5644 – 8000037777; 2024/127324

Fire and Rescue NSW conducted an inspection of the subject premises on 10 September 2024 after receiving an enquiry about a milk crate consistently being located within an exit, potentially obstructing egress in a fire event.

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

Ref.	Issue	City response
1	Essential Fire Safety Measures	
1A	Annual Fire Safety Statement (AFSS) - Clause 89(4)(b) of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (DCFS Regulation) states that the AFSS must be prominently displayed in the building. At the time of the inspection the AFSS could not be located.	The Annual Fire Safety Statement, prominently displayed in the building, was observed during the inspection on 25 November 2024, addressing this issue.
1B	System Monitoring – The premises has a Class 3 part located more than 2 storeys above ground level however the automatic smoke detection and alarm system is not connected to a fire alarm monitoring system connected to a fire station or a fire station	During the inspection on 21 November 2024, the City was informed that system monitoring has not yet been addressed.

Ref.	Issue	City response
	dispatch centre, contrary to the requirements of Specification NSW S20C8(a) of the NCC.	The Order issued on 13 January 2025 requires a comprehensive audit of the entire building, including system monitoring. Following this audit, and where appropriate, the City may issue an additional NOI and Order to mandate the necessary upgrade works which will address this issue.
1C	Sprinkler System - The block plan associated with the sprinkler system does not specify a standard of performance and an AFSS was not available on site indicating the standard of performance. As such, the following items are of concern to FRNSW - noting that the system may be installed to the requirements of AS2118.1 or AS2118.4.	The Annual Fire Safety Statement, prominently displayed in the building, was observed during the inspection on 25 November 2024, addressing this issue.
i.	Alarm Signalling Equipment connected to a fire station, or a fire station dispatch centre has not been provided, contrary to the requirements of Clause 5.7 & 5.8 of AS2118.4 or Clause 3.2 of AS2118.1-1999 and Specification NSW S18C3 (as applicable) of the NCC.	During the inspection on 25 November 2024, the City was informed that alarm signalling equipment has not yet been connected. The Order issued on 13 January 2025 requires a comprehensive audit of the entire building, including alarm signalling equipment. Following this audit, and where appropriate, the City may issue an additional NOI and Order to mandate the necessary upgrade works which will address this issue.
ii.	A sign marked with the words 'SPRINKLER BOOSTER CONNECTION' in letters not less than 50mm high, in a colour contrasting with the background and marked with the maximum allowable inlet pressure at the connection was not provided at the booster connection, contrary to the requirements of Clause 3.8 of AS 2118.4-2012 or Clause 4.4.3 of AS2118.1-1999.	During the inspection on 25 November 2024, the City was informed that signage has not yet been addressed. The Order issued on 13 January 2025 requires a comprehensive audit of the entire building, including system signage. Following this audit, and where appropriate, the City may issue an

Ref.	Issue	City response
		additional NOI and Order to mandate the necessary upgrade works which will address this issue.
iii.	A location plate has not been fixed to the external wall, near to the main stop valve, contrary to the requirements of Clause 8.4 of AS2118.1-1999.	The Order issued on 13 January 2025 requires a comprehensive audit of the entire building. Following this audit, and where appropriate, the City may issue an additional NOI and Order to mandate the necessary upgrade works which will address this issue.
iv.	The plan of risk (block plan) provided adjacent to the sprinkler valves did not include all the relevant information as required by Clause 8.3 of AS 2118.1–1999.	The Order issued on 13 January 2025 requires a comprehensive audit of the entire building. Following this audit, and where appropriate, the City may issue an additional NOI and Order to mandate the necessary upgrade works which will address this issue.
v	Stop valves were not secured open by a padlocked chain or riveted strap, in accordance with the requirements of Clause 5.2.6 of AS 2118.4-2012 or Clause 8.2 of AS 2118.1–1999.	The Order issued on 13 January 2025 requires a comprehensive audit of the entire building. Following this audit, and where appropriate, the City may issue an additional NOI and Order to mandate the necessary upgrade works which will address this issue.
vi.	The metal door to the booster connection was damaged and difficult to open.	The Order issued on 13 January 2025 requires a comprehensive audit of the entire building. Following this audit, and where appropriate, the City may issue an additional NOI and Order to mandate the necessary upgrade works which will address this issue.
1D	Exit Signs – An exit sign at the beer garden was not illuminated and the pictorial element was not properly attached to the body of the unit, contrary to the requirements of Clause E4D8 of the NCC and Section 3 of AS 2293.1–2005.	The Order issued on 13 January 2025 requires a comprehensive audit of the entire building. Following this audit, and where appropriate, the City may issue an additional NOI and Order

Ref.	Issue	City response
		to mandate the necessary upgrade works which will address this issue.
2.	Access and Egress	
2A.	Fire Exits & Fire Doors – Clause 109 of the DCFS Regulation requires that each fire exit area for the building is kept clear of anything that may obstruct the free passage of persons and that the operation of a fire exit door is not interfered with or obstructed. At the time of the inspection the following was noted.	Noted. No action required to address this comment.
i.	A milk crate was observed at the fire exit door recess to the rear lane which caused an impediment to the operation of the door. The crate was subsequently removed, and the manager of the premises was requested to inform staff of the issue and ensure that the exit door remains free from impediments.	The inspection undertaken on 25 November 2024 verified that the milkcrate had been removed, addressing this issue.
ii.	Pot plants were observed in the stair from the upper floor to the ground floor beer garden which may cause an impediment.	The Order issued on 13 January 2025 requires a comprehensive audit of the entire building. Following this audit, and where appropriate, the City may issue an additional NOI and Order to mandate the necessary upgrade works which will address this issue.
iii.	Part of the panic bar mechanism to the fire exit door to the rear lane was damaged which may interfere with the operation of the door.	The Order issued on 13 January 2025 requires a comprehensive audit of the entire building. Following this audit, and where appropriate, the City may issue an additional NOI and Order to mandate the necessary upgrade works which will address this issue.
2B	Swinging Doors – The final exit door from the accommodation to Alexander Street opens against the direction of egress and does not appear to be fitted with a device for holding it in the open position, contrary to the requirements of Clause D3D25 of the NCC.	The Order issued on 13 January 2025 requires a comprehensive audit of the entire building. Following this audit, and where appropriate, the City may issue an additional NOI and Order to mandate the necessary upgrade works which will address this issue.
3	Compartmentation	
3A	Bounding Construction – With regard to the first & second floor sole-occupancy units (SOUs) and Clause NSW C4D12 of the NCC, the following is	The Order issued on 13 January 2025 requires a comprehensive audit of the entire building.

Ref.	Issue	City response
	noted, assuming Type A construction is required as per the requirements of Table C2D2 of the NCC:	Following this audit, and where appropriate, the City may issue an additional NOI and Order to mandate the necessary upgrade works which will address this issue.
i.	Transom windows are located in bounding construction required to have a FRL, above the doorways providing access from the SOUs to the internal stairway, contrary to the requirements of Clause C4D12(6) of the NCC.	The Order issued on 13 January 2025 requires a comprehensive audit of the entire building. Following this audit, and where appropriate, the City may issue an additional NOI and Order to mandate the necessary upgrade works which will address this issue.
ii	The entry doors to the SOUs have not been provided with self-closing -/60/30 fire doors, contrary to the requirements of Clause C4D12(1) & C4D12(4) of the NCC.	The Order issued on 13 January 2025 requires a comprehensive audit of the entire building. Following this audit, and where appropriate, the City may issue an additional NOI and Order to mandate the necessary upgrade works which will address this issue.

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

FRNSW Recommendations

FRNSW recommends that Council:

- A. Review items 1 to 3 of this report and conduct an inspection.
- 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.

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's investigation officer the premises was issued a Fire Safety Order, following a NOI and consideration of the representations made. The Order requires the submission of a Fire Safety Audit for the whole building. Dependent on the findings of the Audit, the City may require the building to be upgraded as appropriate.

If a further order is issued, City staff will undertake follow up compliance site inspections to ensure fire safety works are satisfactorily completed.

It is recommended that the Commissioner of FRNSW be advised of Council's actions and determination.

OFFICIAL



File Ref. No: FRN24/2709 - BFS24/5644 - 8000037777
TRIM Ref. No: D2024/127324
Contact: Conor Hackett

1 November 2024

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
CAMELIA GROVE HOTEL
146 HENDERSON RD, ALEXANDRIA NSW 2015 ("the premises")**

Fire and Rescue NSW (FRNSW) received correspondence on 1 September 2024 concerning the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

Fire exit door blocked by milk crates and other objects .these are in an alcove outside the door meaning they can't be cleared in an emergency and will block the door from opening

I have previously raised this with the manager ,but the issue keeps happening .

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 10 September 2024.

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:

OFFICIAL

OFFICIAL

- 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

This report is limited to observations and sections of the building accessed at the time of the inspection. As such, this report lists potential deviations from the National Construction Code 2022 Building Code of Australia – Volume One (NCC) or applicable Australian Standards.

Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed may relate to the building's age or contradict development consent approval. In this regard, it is at council's discretion as the appropriate regulatory authority to consider the most appropriate action and determine whether an investigation is required.

The following items were identified during the inspection:

1. Essential Fire Safety Measures

- 1A. Annual Fire Safety Statement (AFSS) - Clause 89(4)(b) of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (DCFS Regulation) states that the AFSS must be prominently displayed in the building. At the time of the inspection the AFSS could not be located.
- 1B. System Monitoring – The premises has a Class 3 part located more than 2 storeys above ground level however the automatic smoke detection and alarm system is not connected to a fire alarm monitoring system connected to a fire station or a fire station dispatch centre, contrary to the requirements of Specification NSW S20C8(a) of the NCC.
- 1C. Sprinkler System - The block plan associated with the sprinkler system does not specify a standard of performance and an AFSS was not available on site indicating the standard of performance. As such, the following items are of concern to FRNSW - noting that the system may be installed to the requirements of AS2118.1 or AS2118.4.
 - i. Alarm Signalling Equipment connected to a fire station or a fire station dispatch centre has not been provided, contrary to the requirements of Clause 5.7 & 5.8 of AS2118.4 or Clause 3.2 of AS2118.1-1999 and Specification NSW S18C3 (as applicable) of the NCC.
 - ii. A sign marked with the words 'SPRINKLER BOOSTER CONNECTION' in letters not less than 50mm high, in a colour

contrasting with the background and marked with the maximum allowable inlet pressure at the connection was not provided at the booster connection, contrary to the requirements of Clause 3.8 of AS 2118.4-2012 or Clause 4.4.3 of AS2118.1-1999.

- iii. A location plate has not been fixed to the external wall, near to the main stop valve, contrary to the requirements of Clause 8.4 of AS2118.1-1999.
 - iv. The plan of risk (block plan) provided adjacent to the sprinkler valves did not include all the relevant information as required by Clause 8.3 of AS 2118.1-1999.
 - v. Stop valves were not secured open by a padlocked chain or riveted strap, in accordance with the requirements of Clause 5.2.6 of AS 2118.4-2012 or Clause 8.2 of AS 2118.1-1999.
 - vi. The metal door to the booster connection was damaged and difficult to open.
- 1D. Exit Signs – An exit sign at the beer garden was not illuminated and the pictorial element was not properly attached to the body of the unit, contrary to the requirements of Clause E4D8 of the NCC and Section 3 of AS 2293.1-2005.

2. Access & Egress

- 2A. Fire Exits & Fire Doors - Clause 109 of the DCFS Regulation requires that each fire exit area for the building is kept clear of anything that may obstruct the free passage of persons and that the operation of a fire exit door is not interfered with or obstructed. At the time of the inspection the following was noted:
- i. A milk crate was observed at the fire exit door recess to the rear lane which caused an impediment to the operation of the door. The crate was subsequently removed and the manager of the premises was requested to inform staff of the issue and ensure that the exit door remains free from impediments.
 - ii. Pot plants were observed in the stair from the upper floor to the ground floor beer garden which may cause an impediment.
 - iii. Part of the panic bar mechanism to the fire exit door to the rear lane was damaged which may interfere with the operation of the door.
- 2B. Swinging Doors - The final exit door from the accommodation to Alexander Street opens against the direction of egress and does not appear to be fitted with a device for holding it in the open position, contrary to the requirements of Clause D3D25 of the NCC.

OFFICIAL

3. Compartmentation

- 3A. Bounding Construction – With regard to the first & second floor sole-occupancy units (SOUs) and Clause NSW C4D12 of the NCC, the following is noted, assuming Type A construction is required as per the requirements of Table C2D2 of the NCC:
- i. Transom windows are located in bounding construction required to have a FRL, above the doorways providing access from the SOUs to the internal stairway, contrary to the requirements of Clause C4D12(6) of the NCC.
 - ii. The entry doors to the SOUs have not been provided with self-closing -/60/30 fire doors, contrary to the requirements of Clause C4D12(1) & C4D12(4) of the NCC.

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

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Review items 1 to 3 of this report and conduct an inspection.
- b. Address any other deficiencies identified on “the premises”.

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 Conor Hackett of FRNSW's Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call (02) 9742 7434 if there are any questions or concerns about the above matters. Please refer to file reference FRN24/2709 - BFS24/5644 - 8000037777 regarding any correspondence concerning this matter.

Yours faithfully



Conor Hackett
Senior Building Surveyor
Fire Safety Compliance Unit