



The Proprietors of SP 47991
C/- Bright and Duggan Pty Ltd
PO Box 281
CROWS NEST NSW 1585

SH3 (CIS)

Dear Sir/Madam

**NOTICE OF INTENTION TO ISSUE A DEVELOPMENT CONTROL ORDER - FIRE SAFETY ORDER
PART 9, DIVISION 9.3, SECTION 9.34 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT
ACT, 1979 SCHEDULE 5, PART 2 ITEM 1**

PREMISES: 41 ROCKLANDS ROAD, WOLLSTONECRAFT

I refer to Fire Safety & Building Code of Australia Assessment Report dated 7 December 2022, prepared by Grant McGrath and Erol Urludag of Building Code Professionals Pty Limited (**the report**), received by Council in response to Council's Development Control Order - Fire Safety Order dated 12 August 2022 issued to the Proprietors of SP 47991, as the owner of the premises located at 41 Rocklands Road, Wollstonecraft (**the premises**).

Given the received report Council is concerned about the safety of the occupants of the building in the event of fire. Please find enclosed a Notice of Intention to issue Development Control Order - Fire Safety Order, under Part 9, Division 9.3, Schedule 5, Part 2, Item 1 of the *Environmental Planning and Assessment Act, 1979*, requiring fire safety upgrade works to be carried out to the premises.

The owners should have the works required by the recommendations of the accredited person costed at this time, as once issued the requisites of the proposed Order can only be varied with considerable difficulty. If the timeframe provided within this Notice is not suitable, a submission should be made seeking a variation within the time allowed.

Please note that no works should be undertaken until such time that a Development Control Order has been issued by Council.

In accordance with Part 9, Division 9.3, Section 9.34, Schedule 5, Part 7 of the *Environmental Planning and Assessment Act, 1979* you may make representations to Council as to why the proposed Order should not be given or as to the terms of, or period for compliance with the proposed Order.

Representations to Council in respect to this matter should be made in writing and be received no later than **fourteen (14) days** from the endorsed date of this notice. Any representations will be taken into consideration and a decision made to modify, withdraw, or proceed with the Order.

All Directors and other interested persons must be advised of the Notice of Intention.

Should you have any further enquiries in this regard, please contact Mr Simon Hitchcock between 9.30am and 5.00pm (Monday to Friday) on telephone number 9936 8100 or at any time via Council's email address council@northsydney.nsw.gov.au.

Yours faithfully



LONG HUYNH
TEAM LEADER - BUILDING COMPLIANCE

Date Endorsed: 11 January 2023

cc Fire and Rescue NSW, Locked Bag 12, GREENACRE NSW 2190
Bright & Duggan, C/- James Azar - james.azar@bright-duggan.com.au
Building Code Professionals Pty Limited C/- Grant McGrath - grant@bcpro.com.au



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PO Box 281
CROWS NEST NSW 1585

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Dear Sir/Madam

**NOTICE OF INTENTION TO ISSUE A DEVELOPMENT CONTROL ORDER - FIRE SAFETY ORDER
PART 9, DIVISION 9.3, SECTION 9.34 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT
ACT, 1979 SCHEDULE 5, PART 2 ITEM 1**

PREMISES: 41 ROCKLANDS ROAD, WOLLSTONECRAFT

Notice is hereby given that North Sydney Council intends to serve the Proprietors of SP 47991, as the owner/s of the premise known by the above addresses, with a Development Control Order - Fire Safety Order, under Part 9, Division 9.3, Section 9.34, Schedule 5, Part 2, Item 1 of the *Environmental Planning and Assessment Act, 1979*, as follows:-

Terms of Proposed Order

1. Carry out the fire safety upgrade works as detailed within the "Timetable for the Proposed Fire Safety Upgrading Works" (pages 50-53) in Fire Safety & Building Code of Australia Assessment Report dated 7 December 2022, prepared by Grant McGrath and Erol Urludag of Building Code Professionals Pty Limited (**the report** - attached), as follows:
 - a. Carry out the upgrade works to provide a fire control room, as recommended within Year 1 - Upgrading Works Section of the report.
 - b. Carry out the upgrade works to provide an automatic fire detection and alarm system, as recommended within Year 1 - Upgrading Works Section of the report.
 - c. Carry out the upgrade works to provide a fail-safe "fire-trip," as recommended within Year 1 - Upgrading Works Section of the report.
 - d. Carry out the upgrade works to provide an EWIS, as recommended within Year 1 - Upgrading Works Section of the report.
 - e. Carry out the upgrade works to provide emergency lighting throughout the building, as recommended within Year 1 - Upgrading Works Section of the report.
 - f. Carry out the upgrade works to provide illuminated exit and directional signage throughout the building, as recommended within Year 1 - Upgrading Works Section of the report.

- g. Carry out the upgrade works to provide portable fire extinguishers throughout the building, as recommended within Year 1 - Upgrading Works Section of the report.
- h. Engage a Registered Design Practitioner - (Fire Safety Engineer) to prepare a Performance Solution Report, as recommended within Year 1 - Upgrading Works Section of the report.
- i. Obtain a Sydney Water flow and pressure statement, as recommended within Year 1 - Upgrading Works Section of the report.
- j. Engage a Registered Design Practitioner - (Fire Hydrant & Fire Hose Reel) to prepare design documentation for the construction of a fire hydrant and hose reel systems, as recommended within Year 1 - Upgrading Works Section of the report.
- k. Engage a Registered Design Practitioner - (Sprinklers) to prepare design documentation for the automatic sprinkler system, as recommended within Year 1 - Upgrading Works Section of the report.
- l. Engage a licensed electrician to carry out an audit of the buildings' electrical systems, as recommended within Year 1 - Upgrading Works Section of the report.
- m. Engage a licensed gas fitter to carry out an audit of the buildings' gas systems, as recommended within Year 1 - Upgrading Works Section of the report.
- n. Engage a registered architect to prepare architectural plans of the existing building and provide details to North Sydney Council and the Fire Safety Engineer, as recommended within Year 1 - Upgrading Works Section of the report.
- o. Engage a FPAS Accredited Fire Systems Certifier to carry out an audit of the buildings' fire doors, as recommended within Year 1 - Upgrading Works Section of the report.
- p. Engage a Registered Design Practitioner - (Mechanical Engineering) to carry out an audit of the buildings' mechanical air handling systems, as recommended within Year 1 - Upgrading Works Section of the report.
- q. Engage a FPAS Accredited Fire Systems Certifier to carry out an audit of the buildings' lift landing doors, as recommended within Year 1 - Upgrading Works Section of the report.
- r. Engage a FPAS Accredited Fire Systems Certifier to carry out an audit of the buildings' fire doors, as recommended within Year 1 - Upgrading Works Section of the report.
- s. Carry out the upgrade works to provide a steel bollard to the Basement Level Carpark, as recommended within Year 2 - Upgrading Works Section of the report.

- t. Carry out the upgrade works to the fire doors throughout the building, as recommended within Year 2 - Upgrading Works Section of the report.
- u. Carry out the upgrade works to provide new fire doors throughout the building, as recommended within Year 2 - Upgrading Works Section of the report.
- v. Carry out the upgrade works to the fire hydrant system and fire hose reel system throughout the building, as recommended within Year 2 - Upgrading Works Section of the report.
- w. Carry out the upgrade works to provide an automatic sprinkler system throughout the building, as recommended within Year 2 - Upgrading Works Section of the report.
- x. Carry out the upgrade works to provide a stair pressurization system throughout the building, as recommended within Year 2 - Upgrading Works Section of the report.
- y. Carry out the upgrade works to the general air handling system throughout the building, as recommended within Year 2 - Upgrading Works Section of the report.
- z. Carry out the upgrade works required by the Performance Solution Report, as recommended within Year 2 - Upgrading Works Section of the report.
- aa. Carry out the upgrade works identified by the electrical inspection report, as recommended within Year 2 - Upgrading Works Section of the report.
- bb. Carry out the upgrade works identified by the gas inspection report, as recommended within Year 2 - Upgrading Works Section of the report.
- cc. Carry out the upgrade works within the automatic sprinkler system design, as recommended within Year 3 - Upgrading Works Section of the report.
- dd. Carry out the upgrade works to the balustrades and handrails throughout the building, as recommended within Year 3 - Upgrading Works Section of the report.
- ee. Carry out the upgrade works to provide non-skid nosings throughout the building, as recommended within Year 3 - Upgrading Works Section of the report.
- ff. Carry out the upgrade works to the exit doors throughout the building, as recommended within Year 3 - Upgrading Works Section of the report.
- gg. Carry out the upgrade works to provide signage throughout the building, as recommended within Year 3 - Upgrading Works Section of the report.
- hh. Carry out the upgrade works to provide fire stopping throughout the building, as recommended within Year 3 - Upgrading Works Section of the report.

- ii. Carry out the upgrade works to the electrical services enclosures throughout the building, as recommended within Year 3 - Upgrading Works Section of the report.
 - jj. Carry out the upgrade works to the ventilation louvre, as recommended within Year 3 - Upgrading Works Section of the report.
 - kk. Carry out the upgrade works to the PVC piping, as recommended within Year 3 - Upgrading Works Section of the report.
 - ll. Carry out the upgrade works to re-swing the final exit doors, as recommended within Year 3 - Upgrading Works Section of the report.
 - mm. Carry out the upgrade works to provide fire separation, as recommended within Year 3 - Upgrading Works Section of the report.
2. Upon completion of works, certification from a Registered Building Surveyor, minimum Registered Building Surveyor—Unrestricted under the *Building and Development Certifiers Act 2018*, shall be submitted to Council confirming works have been completed in accordance with Item 1 above and the attached Fire Safety Schedule.

A Final Fire Safety Certificate complying with Part 11 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021* shall accompany the certification.

Reason for Proposed Order

1. The Fire Safety & Building Code of Australia Assessment Report dated 7 December 2022, prepared by Grant McGrath and Erol Urludag of Building Code Professionals Pty Limited, advises that the provisions for fire safety or fire safety awareness at the premises are inadequate to prevent fire, suppress fire or prevent the spread of fire or ensure or promote the safety of persons in the event of fire.
2. Given the received report, Council is concerned about the safety of the occupants of the building in the event of fire.

Council intends to allow a period of two (2) years within which time the Order must be complied with when issued.

In accordance with Part 9, Division 9.3, Section 9.34, Schedule 5, Part 7 of the *Environmental Planning and Assessment Act, 1979* you may make representations to Council as to why the proposed Order should not be given or as to the terms of, or period for compliance with the proposed Order.

Representations to Council in respect to this matter should be made in writing and be received no later than **fourteen (14) days** from the endorsed date of this notice. Any representations will be taken into consideration and a decision made to modify, withdraw, or proceed with the Order.

Any enquiries in this matter should be directed to Simon Hitchcock on 9936 8100 from 9.30am to 5.00pm, Monday to Friday or at any time via Council's email address council@northsydney.nsw.gov.au.

Yours faithfully



LONG HUYNH
TEAM LEADER - BUILDING COMPLIANCE

Date Endorsed: 11 January 2023

cc Fire and Rescue NSW, Locked Bag 12, GREENACRE NSW 2190
Bright & Duggan, C/- James Azar - james.azar@bright-duggan.com.au
Building Code Professionals Pty Limited C/- Grant McGrath - grant@bcpro.com.au

Attachment 1: Fire Safety Schedule

Proposed Fire Safety Schedule -				
41 Rocklands Road, Wollstonecraft				
Item No.	Measure	Standard of Performance	Existing	Proposed
1.	Automatic Fail- Safe Devices	Clauses D2.19(b)(iv) BCA 2019 (Amend.1)	X	
2.	Automatic Fire Detection & Alarm Systems	Clause E2.2 & Clauses 3, 4 & 7 of Specification E2.2a BCA 2019 (Amend.1), AS 3786-2014 (Amend. 1 & 2) & AS 1670.1-2018 (as applicable)	X	
3.	Automatic Signalling Equipment	AS 2118.1-2017 (Amend.1), AS 1670.3-2018 & AS 4428.6-2018	X	
4.	Automatic Sprinkler Systems	AS 2118.1-2017 (Amend.1), AS 1670.3-2018 & AS 4428.6-2018	X	
5.	Emergency Lifts	Clause E3.4 BCA 2019 (Amend.1) or a Performance Solution Report by a Registered Design Practitioner (Fire Safety Engineering)	X	
6.	Emergency Lighting	Clauses E4.2 & E4.4 BCA 2019 (Amend.1) & AS/NZS 2293.1-2018	X	
7.	Emergency Warning and Intercommunication Systems (EWIS)	Clause E4.9 BCA 2019 (Amend.1) & AS 1670.4-2018 or a Performance Solution Report by a Registered Design Practitioner (Fire Safety Engineering)	X	
8.	Exit Signs	Clause E4.5, E4.6, E4.7 & E4.8 BCA 2019 (Amend.1) & AS/NZS 2293.1-2018	X	
9.	Fire Control Centres & Rooms	Clause E1.8 & Specification E1.8 BCA 2019 (Amend.1) or a Performance Solution Report by a Registered Design Practitioner (Fire Safety Engineering)	X	
10.	Fire Dampers	Clause C3.15(b) BCA 2019 (Amend.1) & AS 1668.1-2015 (Amend.1)	X	
11.	Fire Doors	Clause C2.12, C2.13, C3.5, C3.8 & C3.11 & Specification C3.4 BCA 2019 (Amend.1) & AS 1905.1-2015 (Amend.1)	X	
12.	Fire Hose Reel Systems	Clause E1.4 BCA 2019 (Amend.1) & AS 2441-2005 (Amend.1),	X	

13.	Fire Hydrant System	Clause E1.3 BCA 2019 (Amend.1) & AS 2419.1-2005 (Amend.1)	X	
14.	Fire Seals Protecting Openings in Fire-Resisting Building Elements	Clauses C3.12, C3.15 & Specification C3.15 BCA 2019 (Amend.1) or a Performance Solution Report by a Registered Design Practitioner (Fire Safety Engineering)	X	
15.	Lift Landing Doors	Clause C3.10 BCA 2019 (Amend.1) & AS 1735.11-1986	X	
16.	Mechanical Air Handling Systems	Clause E2.2 & NSW Table E2.2a BCA 2019 (Amend.1), AS 1668.2-2012 & AS 1668.1-2015 (Amend.1)	X	
17.	Mechanical Ventilation Fire Trip (Carpark Supply Fan Only)	Table E2.2a BCA 2019 (Amend.1) & Clause 5.5 of AS 1668.1-2015 (Amend.1)	X	
18.	Smoke Clearance Fans (Carpark Only)	Table E2.2a BCA 2019 (Amend.1) & Clause 5.5 of AS 1668.1-2015	X	
19.	Portable Fire Extinguishers	Clause E1.6 BCA 2019 (Amend.1) & AS 2444-2001	X	
20.	Smoke Doors	Clause D2.7(d) BCA 2019 (Amend.1)	X	
21.	Stair Pressurisation Systems	Clause E2.2 & NSW Table E2.2a BCA 2019 (Amend.1), AS 1668.2-2012 & AS 1668.1-2015 (Amend.1) or a Performance Solution Report by a Registered Design Practitioner (Fire Safety Engineering)	X	
22.	Wall-Wetting Sprinkler / Drencher System	Clause D1.7(c) BCA 2019 (Amend.1) & AS 2118.1-2017 (Amend. 1) or a Performance Solution Report by a Registered Design Practitioner (Fire Safety Engineering)	X	
23.	Warning & Operational Signage	Clauses D2.23 & E3.3 BCA 2019 (Amend.1)	X	
24.	Fire Safety Notices (Offences)	Clause 108 Environmental Planning & Assessment (Development Certification & Fire Safety) Regulation 2021	X	
25.	Performance Solution Report(s)	TBA	X	