

Date: 2/06/2023
Project No: 12672
North Sydney Council



Attention: North Sydney Council
By email: council@northsydney.nsw.gov.au

To Whom it May Concern,

With reference to the Notice of Intention to Issue a Development Control Order dated 11 January 2023 issued by the North Sydney Council to the Owners of SP 47991, we are writing to request that the terms of proposed Development Control Order to be amended to acknowledge the potential adoption of a fire engineered upgrade strategy prepared by a Certifier – Fire Safety (previously known as C10), in addition to the proposed upgrade works in the Notice.

AED has been engaged by The Owners of Strata Plan 47991 as their superintendent for the fire safety upgrade project for the existing residential building located at 41 Rocklands Road, Wollstonecraft NSW. AED carried out a site investigation on 19 May 2023 and carried out a desktop assessment of the previously raised non-compliances nominated within 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. Based on inspection and assessment findings, AED would like to make the following recommendations and propose the following terms of Order to be amended.

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.

AED Comments –

It is recommended that the proposed term also includes an option for the submission of a fire engineered upgrade strategy.

Proposed Term -

Carry out the upgrade works to provide a fire control room or provide a fire upgrade strategy prepared by C10 accredited fire engineers, as recommended within Year 1 - Upgrading Works Section of the report.

Any physical work required as part of a fire upgrade strategy is to be completed within Year 2.

- 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.



AED Comments –

AED agrees with the term.

- c. Carry out the upgrade works to provide a fail-safe “fire-trip,” as recommended within Year 1 - Upgrading Works Section of the report.

AED Comments –

AED agrees with the term.

- d. Carry out the upgrade works to provide an EWIS, as recommended within Year 1 - Upgrading Works Section of the report.

AED Comments –

AED agrees with the term. It is recommended that the proposed term also includes an option for the submission of a fire engineered upgrade strategy.

Proposed Term -

Carry out the upgrade works to provide a EWIS or provide a fire upgrade strategy prepared by C10 accredited fire engineers, as recommended within Year 1 - Upgrading Works Section of the report.

Any physical work required as part of a fire engineered upgrade strategy is to be completed within Year 2 & 3.

- e. Carry out the upgrade works to provide emergency lighting throughout the building, as recommended within Year 1 - Upgrading Works Section of the report.

AED Comments –

AED agrees with the term.

- 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.

AED Comments –

AED agrees with the term.

- 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.

AED Comments –

AED agrees with the term.



- 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.

AED Comments –

AED agrees with the term. It is also confirmed that the owners are currently engaging AED Fire (Accredited C10 Fire Engineers) to develop a fire engineered upgrade strategy, which is to be adopted into the Fire Order.

- i. Obtain a Sydney Water flow and pressure statement, as recommended within Year 1 - Upgrading Works Section of the report.

AED Comments –

AED agrees with the term.

- 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.

AED Comments –

AED agrees with the term. In addition, it is recommended that the proposed term also includes an option for the submission of a fire engineered upgrade strategy.

Proposed Term -

Carry out the upgrade works to 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 or provide a fire upgrade strategy prepared by C10 accredited fire engineers. The fire engineered upgrade strategy shall be provided as recommended within Year 1 - Upgrading Works Section of the report. Any design and installation work required as part of a fire engineered upgrade strategy are to be completed within Year 2 & 3.

- 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.

AED Comments –

AED agrees with the term. In addition, it is recommended that the proposed term also includes an option for the submission of a fire engineered upgrade strategy.

Proposed Term -

Carry out the upgrade works to engage a Registered Design Practitioner



(Sprinkler) to prepare design documentation for the construction of a sprinkler system or provide a fire engineered upgrade strategy prepared by C10 accredited fire engineers. The fire engineered upgrade strategy shall be provided as recommended within Year 1 - Upgrading Works and any physical work required as part of the fire engineered upgrade strategy is to be completed within Year 2 & 3.

- 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.

AED Comments –

AED agrees with the term.

- 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.

AED Comments –

AED agrees with the term.

- 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.

AED Comments –

AED agrees with the term. It is also recommended that any existing architectural plans be provided prior to the development of a fire engineered upgrade strategy.

- 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.

AED Comments –

AED agrees with the term.

- 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.

AED Comments –

AED agrees with the term.

- 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.



AED Comments –

AED agrees with the term.

- 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.

AED Comments –

AED agrees with the term.

- 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.

AED Comments –

AED agrees with the term.

- t. Carry out the upgrade works to the fire doors throughout the building, as recommended within Year 2 - Upgrading Works Section of the report.

AED Comments –

AED agrees with the term. It is recommended that the proposed term also includes an option for the submission of a fire engineered upgrade strategy.

Proposed Term -

Carry out the upgrade works to non-compliance identified in the fire door audit or update the fire engineered upgrade strategy prepared by C10 accredited fire engineers, subject to the outcomes of the audit and issues identified.

- 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.

AED Comments –

AED agrees with the term. It is recommended that the proposed term also includes an option for the submission of a fire engineered upgrade strategy.

Proposed Term -

Carry out the upgrade works to non-compliance identified in the fire door audit or update the fire engineered upgrade strategy prepared by C10 accredited fire engineers, subject to the outcomes of the audit and issues identified.

- 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.



AED Comments –

AED agrees with the term. In addition, it is recommended that the proposed term also includes an option for the submission of a fire engineered upgrade strategy.

Proposed Term -

Carry out the upgrade works to 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 or provide a fire upgrade strategy prepared by C10 accredited fire engineers. The fire engineered upgrade strategy shall be provided as recommended within Year 1 - Upgrading Works Section of the report. Any design and installation work required as part of a fire engineered upgrade strategy is to be completed within Year 2 & 3.

- 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.

AED Comments –

AED agrees with the term. In addition, it is recommended that the proposed term also includes an option for the submission of a fire engineered upgrade strategy.

Proposed Term -

Carry out the upgrade works to engage a Registered Design Practitioner (Sprinkler) to prepare design documentation for the construction of a sprinkler system or provide a fire upgrade strategy prepared by C10 accredited fire engineers. The fire engineered upgrade strategy shall be provided as recommended within Year 1 - Upgrading Works and any physical work required as part of the fire engineered upgrade strategy is to be completed within Year 2 & 3.

- 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.

AED Comments –

AED agrees with the term. It is recommended that the proposed term also includes an option for the submission of a fire engineered upgrade strategy.

Proposed Term -

Carry out the upgrade works to provide a stair pressurization system throughout the building or update the fire engineered upgrade strategy prepared by C10 accredited fire engineers. Any design and installation works required as part of the fire engineered upgrade strategy are to be carried out in



Year 2 & 3.

- 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.

AED Comments –

AED agrees with the term. It is recommended that the proposed term also includes an option for the submission of a fire engineered upgrade strategy.

Proposed Term -

Carry out the upgrade works to non-compliance identified in the air handling system audit or update the fire engineered upgrade strategy prepared by C10 accredited fire engineers, subject to the outcomes of the audit and issues identified.

- z. Carry out the upgrade works required by the Performance Solution Report, as recommended within Year 2 - Upgrading Works Section of the report.

AED Comments –

AED agrees with the term. Please also acknowledge that the fire engineered upgrade strategy may require to be updated as further investigations are being carried out through the upgrade process.

- aa. Carry out the upgrade works identified by the electrical inspection report, as recommended within Year 2 - Upgrading Works Section of the report.

AED Comments –

AED agrees with the term. It is recommended that the proposed term also includes an option for the submission of a fire engineered upgrade strategy.

Proposed Term -

Carry out the upgrade works to non-compliance identified in the electrical audit or update the fire engineered upgrade strategy prepared by C10 accredited fire engineers, subject to the outcomes of the audit and issues identified.

- bb. Carry out the upgrade works identified by the gas inspection report, as recommended within Year 2 - Upgrading Works Section of the report.

AED Comments –

AED agrees with the term. It is recommended that the proposed term also includes an option for the submission of a fire engineered upgrade strategy.

Proposed Term -

Carry out the upgrade works to non-compliance identified in the gas audit or



update the fire engineered upgrade strategy prepared by C10 accredited fire engineers, subject to the outcomes of the audit and issues identified.

- cc. Carry out the upgrade works within the automatic sprinkler system design, as recommended within Year 3 - Upgrading Works Section of the report.

AED Comments –

AED agrees with the term. In addition, it is recommended that the proposed term also includes an option for the submission of a fire engineered upgrade strategy.

Proposed Term -

Carry out the upgrade works to engage a Registered Design Practitioner (Sprinkler) to prepare design documentation for the construction of a sprinkler system or provide a fire upgrade strategy prepared by C10 accredited fire engineers. The fire engineered upgrade strategy shall be provided as recommended within Year 1 - Upgrading Works and any physical work required as part of the fire engineered upgrade strategy is to be completed within Year 2 & 3.

- 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.

AED Comments –

AED believes that the balustrades and handrails along the path of egress & fire stairs should be addressed as per required by the Notice of Intention to Issue a Fire Order. However, balustrades and handrails in other locations apart from abovementioned do not fall under the circumstances described in Schedule 5, Part 2 Item 1 of the Environmental Planning and Assessment Act, 1979, which resulted in the inadequacy to

- Prevent fire, or
- Suppress fire, or
- Prevent the spread of fire.

To ensure or promote the safety of persons in the event of fire.

and –

When lack of maintenance of the premises or the use of the premises constitutes a significant fire hazard.

Proposed Term -

Carry out the upgrade works to the balustrades and handrails throughout the fire stairs and path of egress (if applicable) in the building. The upgrade works be provided 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.

AED Comments –

AED agrees with the term.

- ff. Carry out the upgrade works to the exit doors throughout the building, as recommended within Year 3 - Upgrading Works Section of the report.

AED Comments –

AED agrees with the term.

- gg. Carry out the upgrade works to provide signage throughout the building, as recommended within Year 3 - Upgrading Works Section of the report.

AED Comments –

AED agrees with the term.

- hh. Carry out the upgrade works to provide fire stopping throughout the building, as recommended within Year 3 - Upgrading Works Section of the report.

AED Comments –

AED agrees with the term. It is recommended that the proposed term also includes an option for the submission of a fire engineered upgrade strategy.

Proposed Term -

Carry out the upgrade works to provide fire stopping throughout the building or provide a fire engineered upgrade strategy prepared by C10 accredited fire engineers, subject to the outcomes of the audit and issues identified. Design and installation works required by the fire engineered upgrade strategy are to be carried out in Year 2 & 3.

- 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.

AED Comments –

AED agrees with the term. It is recommended that the proposed term also includes an option for the submission of a fire engineered upgrade strategy.

Proposed Term -

Carry out the upgrade works to the electrical services throughout the building or provide a fire engineered upgrade strategy prepared by C10 accredited fire



engineers, subject to the outcomes of the audit and issues identified. Design and installation works required by the fire engineered upgrade strategy are to be carried out in Year 2 & 3.

- jj. Carry out the upgrade works to the ventilation louvre, as recommended within Year 3 - Upgrading Works Section of the report.

AED Comments –

AED agrees with the term. It is recommended that the proposed term also includes an option for the submission of a fire engineered upgrade strategy.

Proposed Term -

Carry out the upgrade works to the ventilation louvre throughout the building or provide a fire engineered upgrade strategy prepared by C10 accredited fire engineers, subject to the outcomes of the audit and issues identified. Design and installation works required by the fire engineered upgrade strategy are to be carried out in Year 2 & 3.

- kk. Carry out the upgrade works to the PVC piping, as recommended within Year 3- Upgrading Works Section of the report.

AED Comments –

AED agrees with the term. It is recommended that the proposed term also includes an option for the submission of a fire engineered upgrade strategy.

Proposed Term -

Carry out the upgrade works to the PVC piping or provide a fire engineered upgrade strategy prepared by C10 accredited fire engineers. Design and installation works required by the fire engineered upgrade strategy are to be carried out in Year 2 & 3.

- ll. Carry out the upgrade works to re-swing the final exit doors, as recommended within Year 3 - Upgrading Works Section of the report.

AED Comments –

AED agrees with the term.

- mm. Carry out the upgrade works to provide fire separation, as recommended within Year 3 - Upgrading Works Section of the report.

AED Comments –

AED agrees with the term. It is recommended that the proposed term also includes an option for the submission of a fire engineered upgrade strategy.

Proposed Term -



Carry out the upgrade works to provide fire separation or provide a fire engineered upgrade strategy prepared by C10 accredited fire engineers, subject to the outcomes of the audit and issues identified. Design and installation works required by the fire engineered upgrade strategy are to be carried out in Year 2 & 3.

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.

AED Comments –

AED agrees with the term.

Based on the above, we make an application, pursuant to Part 10, Schedule 5 of the Environmental Planning and Assessment Act 1979, to modify the proposed Development Control Order dated 11 January 2023 to replace with the above modified terms.

We trust this meets your requirements at this stage. If you require any further information, please contact the undersigned.

<p>Prepared by:</p>  <p>Tim Peng Fire Safety Assessor/ Consultant Bachelor's Degree in Civil Engineering (USYD) Accredited Practitioner – Fire Safety Assessment (FPAS No: F056578A) For AED</p>	<p>Reviewed by:</p>  <p>Joshua Curan Director Graduate Diploma in Fire Safety Engineering (WSU) Graduate Diploma in Building Surveying (WSU) Building Surveyor Level 1 (AIBS 7637) Accredited Building Surveyor - Unrestricted (BDC2679) Accredited Practitioner – Fire Safety Assessment (FPAS No: F054805A) For AED</p>
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