

Our Ref: *RRK:PP:233846*
Email: *peggie@pbl.legal*
Your Ref:

13 February 2023

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

Dear Sir/Madam

REQUEST FOR FURTHER EXTENSION OF TIME - 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

REMISES: 41 ROCKLANDS ROAD, WOLLSTONECRAFT

We act for an on behalf of The Owners – Strata Plan 47991 (**OC**) who are the registered proprietors of the common property at 41 Rocklands Road, Wollstonecraft (the **Premises**).

We refer to your letter to the OC dated 11 January 2023 (**attached**) providing notice to the OC of the intention of fire safety orders (the **Orders**) to be made, and submissions to be made to Council for the order to be modified (the **Notice**).

We also refer to further email correspondence from Simon Hitchcock (Senior Building Surveyor) dated 19 January 2023 approving the OC's request for additional time to lodge submissions in respect of the Notice until 14 February 2023.

Request for further extension of time:

We have only recently been instructed by the OC in respect of this matter.

In order for the OC's submissions to be properly prepared and particularised, we kindly request a further extension to provide the Council with submissions of time of three (3) months from 14 February 2023, being **Monday 15 May 2023**.

We request an extension of time for the following reasons:

1. The OC are a newly appointed committee as of 31 January 2023.
2. The OC considers the work required to address fire safety risk to the building's occupants as a priority and have undertaken a review of the proposed Orders.
3. The proposed Orders detailed in Council's correspondence dated 11 January 2023 appear to be inconsistent with certain aspects of 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 (the **Report**).

4. The OC seek to engage a Fire Safety Practitioner, as recommended by the Report to accurately identify the necessary works to be completed in the circumstances and provide greater certainty on the works required in order to address the fire risks posed to the building's occupants.

It is our view that allowing this further extension of time will benefit both the OC and the Council in providing necessary clarification to both parties on the scope of works required to address all fire safety risks.

As the existing time frame is due to expire tomorrow on 14 February 2023, your prompt attention to this letter would be greatly appreciated.

If you require any further information at this stage, please do not hesitate to contact us.

Yours faithfully,



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