

Consultant Advice Notice

From	Nate Lobel	Advice No.	CAN No-FSE-01
Project	2 Minna Close, Belrose	Project No.	SYD2231
Date	18 October 2023	Pages	1/4
Subject	S4.55 for DA2016/0755 & MOD2017/0210	Revision:	01

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Introduction

This Consultant Advice Note (CAN) is provided in reference to DA2016/0755 and the relevant modification MOD2017/0210 for works at Lot 3 DP 807013, 2 Minna Close, Belrose NSW 2085.

As part of the project, a new s4.55 is being submitted, which this letter accompanies. It is understood that the original DA was submitted as a single application encompassing three distinct areas of work:

- > Stage 1 – Infill between South Wing & Existing Warehouse
- > Stage 2 – New Warehouse
- > Stage 3 – Changes to Main Entry

The new S4.55 also proposes adding a fourth package of works:

- > Stage 4 – Change of use of the basement Car Park (Class 7a) to Storage (Class 7b)

As all three stages of work for the original DA were submitted in a single application, the conditions on the Notice of Determination (DA2016/0755) have been read as being equally applicable to all portions of work, which as introduced an issue in the staging of works, with particular emphasis on Condition 19.

This CAN recommends a modification to the existing requirements of Condition 19 and new Conditions to be applied.

Current Consent Condition 19

Condition 19 in the Determination is produced below, with **bold** emphasis by ADP Consulting:

"CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE"
BCA and Fire Safety Upgrade

A fire audit report from an *appropriately qualified Accredited Certifier** is to be **submitted with the Construction Certificate** for review and implementation into the plans for construction purposes where recommendations are made.

The report is to detail the extent to which the existing building does or does not comply with the deemed-to-satisfy provisions of Sections C, D and E of the Building Code of Australia and which also provides recommendations with respect to the work (if any) required to ensure that the **measures contained in the existing building**, including **any modifications to be made by the proposed development** are appropriate to adequately:

- a). protect persons using the building and to facilitate their egress from the building in the event of fire, and
- b). restrict the spread of fire from the building to other buildings nearby.

Details demonstrating implementation are to be submitted to the Principal Certifying Authority prior to the issue of the Interim / Final Occupation Certificate.

*To be regarded as an "appropriately qualified Accredited Certifier" the certifier must hold the relevant level of accreditation that would enable the certifier to issue a construction certificate for the subject building.

Reason: Statutory requirement under Clause 93 and 94 of the Environmental Planning and Assessment Regulation 2000; and to ensure adequate provision is made for fire safety in the premises for building occupant safety. (DACBCF01)"

Application of Condition 19

Whilst Condition 19 is listed under the section for requirements prior to the Occupation Certificate (OC) it includes the requirement for certain actions to be done prior to the Construction Certificate (CC). Further it relates wholly to the level of fire safety provided to the existing buildings on the site, not to the newly proposed warehouse.

As the DA covers all three packages of works as a single body, it in turn requires that upgrade provisions be defined for the Stage 3 – Changes to the Main Entry, prior to any works on Stage 2 – Main Warehouse, despite these being at opposite sides of the site. This is prohibitive in undertaking the new warehouse works and may not be necessary to achieve adequate fire safety as described below.

Proposed Change

It is recommended that Condition 19 be altered so that it no longer applies to Stage 2, which is an entirely new building, rather it be written to only be required prior to the Stage 1, 3, and/or 4 works.

In lieu of requiring Condition 19 to be applied Stage 2, it is recommended that three different requirements are applied which are in line with the intent to require future upgrades when the relevant works are undertaken:

1. *Condition 1: Stage 2 must be constructed such that, for a fire occurring in the new Stage 2 building, the fire safety afforded to occupants does not rely on the existing building or existing infrastructure for the wet or dry fire safety systems such as fire hydrants, sprinklers, hose reels, detection, emergency lighting/signage, fire system controls, or the like.*
2. *Condition 2: The sizing of the fire pumps/tanks for Stage 2 must be sufficient to serve the existing Stage 1, 3, and 4 buildings if they were to be connected to the new Stage 2 fire systems as part of their future upgrade works. Ex. The pumps and tanks are to be sized based on the greater demand of Stage 2 or future connection of Stage 1, 3, and 4 to the new equipment.*
3. *Condition 3: If Stage 2 is to occur prior to Stage 1/3/4, then a qualified certifier or fire safety engineer must provide a letter to the Principal Certifying Authority indicating that the construction of Stage 2 does not lower the overall fire safety provided to occupants of the existing buildings.*

Condition 1 allows for Stage 2 to be designed and constructed to meet the fire safety provisions of the current NCC without reliance on the condition of existing systems. The implementation of Condition 1 will mean that Stage 2 works will include new fire pumps, pipework, tanks, and a new fire indicator panel. The Stage 2 works are likely to include the new panel being connected to the old panel (which may need upgrade to do so) such that information is shared between the

buildings. However, the new Stage 2 panel will not be reliant on the existing building to detect a fire in Stage 2 or to activate systems in Stage 2.

Condition 2 is a requirement for future proofing purposes. This requirement simplifies the eventual upgrades to Stage 1, 3, and 4. It will require that the pump and tank for Stage 2 be sized to the greater demand of Stage 2, or the existing building. Similarly, it requires that the new fire indicator panel must be capable of future expansion / connection to the existing building when they are updated.

This requirement also aligns with the most likely upgrade strategy for the existing buildings, which is in the future to connect the existing buildings to the Stage 2 pumps/tanks. The existing buildings fire pump room has been inspected and is likely inadequately sized for new pumps to be incorporated.

Condition 3 is an additional require to ensure that the level of safety in Stage 1, 3, and 4 is not diminished by the Stage 2 works. It allows for the other two conditions to be applied, only so far as Stage 2 does not reduce the fire safety afforded to occupants of the existing building.

These conditions could be incorporated with wording to be nominated by Council or similar to the below, and adjusting Condition 19 to only relate to the Stage 1, 3, and 4 works:

Prior to the Stage 2 building Construction Certificate, documents are to be submitted to the Principal Certifying Authority that demonstrate the following:

- a) Stage 2 is not reliant upon the existing building for operation of its fire safety systems such as fire hydrants, hose reels, sprinklers, detection, alarm, or controls (fire indicator panel).*
- b) The sizing of the new fire pumps and tanks and expandability/connectivity of the new Fire Indicator Panel for Stage 2 takes into consideration what would likely be required for the existing building, as if the existing building was connected to the new systems.*
- c) A letter has been provided by an Accredited Certifier* or Certifier – Fire Safety, that the construction of the new building does not diminish the fire safety afforded to occupants of the existing building.*

It may also be appropriate that in addition to requiring a report by an Accredited Certifier, Condition 19 be expanded to require that the upgrade recommendations in that report by the Accredited Certifier be endorsed by a Certifier – Fire Safety.

Basis of Change

The above recommendation has been based on review of the Stage 2 design for the new warehouse (services being designed by ADP Consulting) and a fire safety engineering site visit to the existing site on 24 August 2023 by Nate Lobel (Certifier – Fire Safety) and Kevin Tian (Graduate Fire Engineer).

The site visit was carried out to assist the client in understanding the long-term upgrade requirements for the existing building and to identify low-cost high-impact improvements that could be made to the existing level of safety provided on site. After the site visit, the design of the fire systems to the new Warehouse (Stage 2) was reviewed to ensure that it provides sufficient water supply so that in the future the existing building could be upgraded in a sustainable way by connecting Stage 1, 3, and 4 to the new Warehouse. This would be part of future works such as Stage 1, 3, or 4, as appropriate.

There has been no involved in the design of the new Warehouse from a fire engineering perspective, as it is understood that the design is compliant with the NCC fire safety DtS Provisions.

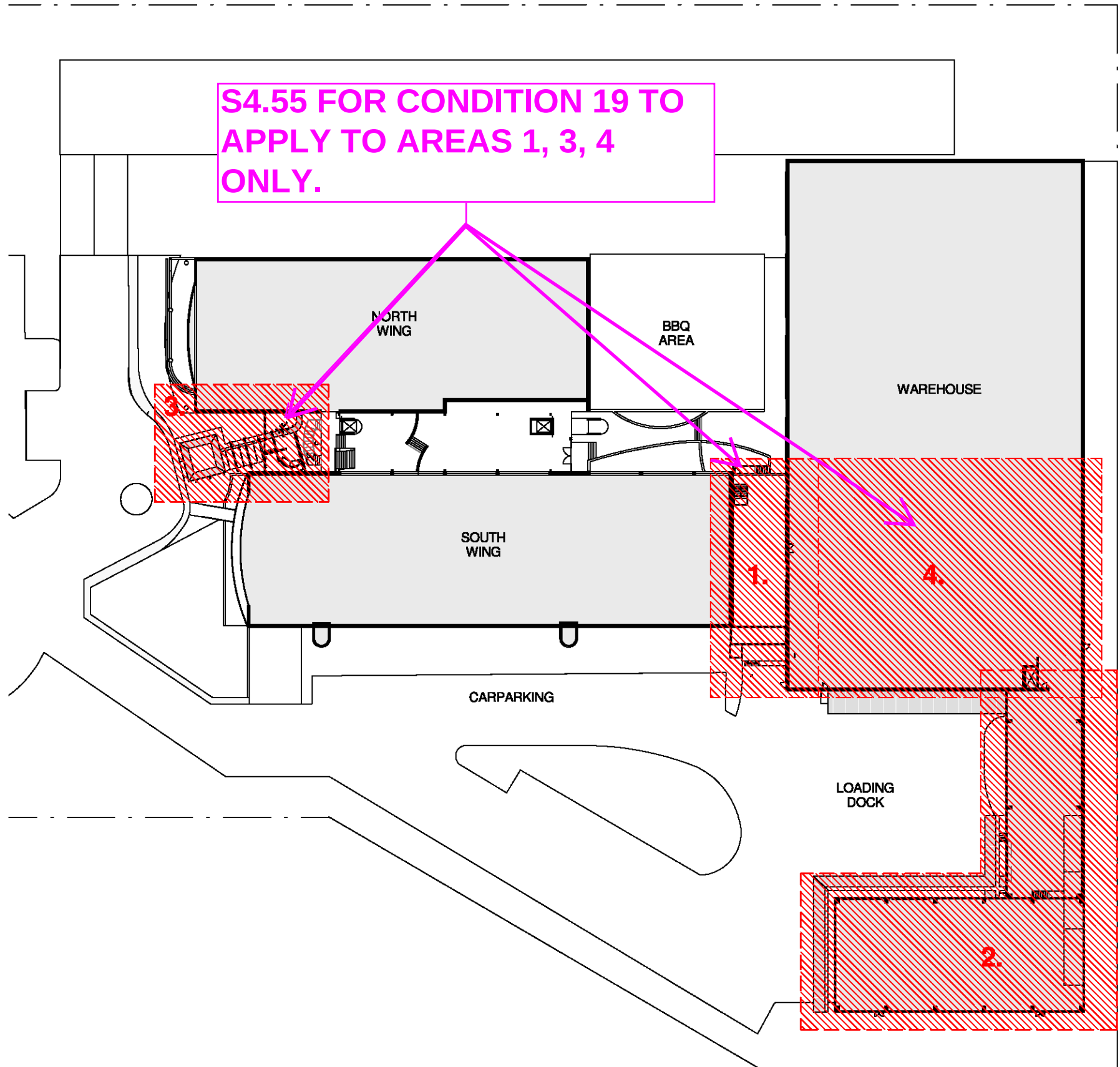
Whilst the new Stage 2 Warehouse has been designed to comply with the NCC fire safety DtS Provisions, it is expected that a performance based approach or partial upgrade strategy will likely be required for the Stage 1, 3, and/or 4 works.

Conclusion

If you require further information or have any questions, please do not hesitate to contact the undersigned.



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1 MASTERPLAN - LEVEL 1
24 Scale 1:750

DISCLAIMER
Subject to: full site survey, measurements are preliminary, discussions and meetings with authorities, approval from authorities, relevant consultant information as per council DA requirements. Feasibility completed based on information provided by client. All parking and ramps to traffic engineers details.

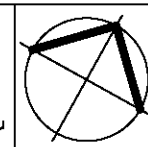
REF.	DATE	AMENDMENT	Legend:			
M	22.07.2016	FINAL ISSUE	RB01	RENDERED BRICKWORK	S	STONEMASONRY
N	15.06.2017	SECTION 96-REVIEW	RB02	RENDERED BRICKWORK	R	ROOF
O	04.07.2017	SECTION 96	FB01	FACE BRICKWORK	DP	DOWNPIPES
			FB02	FACE BRICKWORK	TB	TIMBER BATTENS
			BL	BLOCKWORK	D	DOOR
			CLD1	CLADDING	GD	GARAGE DOOR
			CLD2	CLADDING	SLD	SLIDING DOOR
			RW	RETAINING WALL	LVD	LOUVRES
					BFD	BI-FOLD DOOR
					FW	FIXED WINDOW
					OS	OBSCURE WINDOW
					AW	AWNING WINDOW
					SK	SKYLIGHT
					WH	WINDOW HOOD
					LV	LOUVRES
					RWT	RAINWATER TANK
					P	POST
					T	TIMBER FLOORS
					OT	CERAMIC TILES
					CPT	CARPET
					PC	POLISHED CONCRETE
					SP	FEATURE SCREENING

DISCLAIMER
All dimensions are in millimeters. Verify all dimensions on site prior to commencement of any work. Copyright © DWA.



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CLIENT:	EVOLUTION PLANNING ALTERATIONS & ADDITIONS	DATE:	OCT 15	PROJECT No.	1318
ADDRESS:	LOT 3 DP 807013 2 MINNA CLOSE, BELROSE	DRAWN:	KKC	DWG No.	04 O
DRAWING NAME:	CONCEPT MASTERPLAN	SCALE:	1:750	QA:	RG

THIS PLAN TO BE READ IN CONJUNCTION WITH
MOD2017/0210
NORTHERN BEACHES COUNCIL

PROPOSED IMPROVEMENTS AREAS

1. INFILL BETWEEN SOUTH WING & WAREHOUSE

INFILL DEVELOPMENT BETWEEN THE WAREHOUSE AND SOUTH WING FOR LIGHT INDUSTRIAL PURPOSES IN A RECESSED PART OF THE BUILDING WHICH IS PRESENTLY AN UNDER-UTILISED SPACE WITH A GRAVEL SURFACE ABOVE THE BASEMENT ROOF SLAB. INCLUDING THE INSTALLATION OF A GOODS LIFT FROM THE BASEMENT TO THE WAREHOUSE ABOVE.

2. NEW WAREHOUSE

NEW WAREHOUSE BUILDING AT THE SOUTH-EAST PORTION OF THE SITE, LINKED TO THE EXISTING WAREHOUSE BY AN ENCLOSED CORRIDOR, LOCATED OVER EXISTING AT-PARKING AND DISUSED BASKETBALL AND TENNIS COURTS.

3. CHANGES TO MAIN ENTRY

CHANGES TO THE MAIN ENTRY INCLUDING INTERNAL WORK TO THE RECEPTION AREA, CHANGES TO THE BUILDING FACADE, AND AMENDMENTS TO THE VEHICULAR DROP OFF AND CIRCULATION ARRANGEMENTS. INCLUSION OF 3 NEW CAR SPACES WITH DEMOLITION OF LANDSCAPE ISLAND

4. CHANGE CARPARKING TO STORAGE

CHANGE OF USE FROM CAR PARKING TO WAREHOUSE/STORAGE USE

REVISED DESIGN