Date: 4 July 2019
Our Ref: P19126

Mr Hamed Taghvaei
Unit 12, 4 – 6 Park Ave
Waitara NSW 2077

Dear Hamed,

RE: 435 Condamine Street, Allambie Heights
BCA COMPLIANCE ASSESSMENT

Please find enclosed our BCA Compliance Report prepared in respect of the unauthorized attached dual occupancy within the above listed property.

In reviewing the content of this Report, particular attention is drawn to the content of Part 3 as Part 3 summarizes the compliance status of the proposed design in terms of each prescriptive provision of the BCA.
The inclusion of this summary enables an immediate understanding of the compliance status of the proposed design to be obtained.

Should you require any further information, please do not hesitate to contact me on the number provided.

Yours faithfully

Kieran Tobin
Director

BCA COMPLIANCE ASSESSMENT

PREPARED FOR

Mr Hamed Taghvaei

REGARDING

435 Condamine Street, Allambie Heights

Prepared By

BCA vision

REPORT REGISTER

The following report register documents the development and issue of this report and project as undertaken by this office, in accordance with the *Quality Assurance* policy of BCA Vision Pty Ltd.

Our Reference	Issue No.	Remarks	Issue Date
P19126	1	BCA Compliance Assessment	4 July 2019

(ii)

CONTENTS PAGE

1.0 INTRODUCTION

1.1 GENERAL

This "BCA Compliance Assessment" report has been prepared at the request of Mr Hamed Taghvaei and relates to 435 Condamine Street, Allambie Heights.

The subject premises have been modified to allow for an attached dual occupancy dwelling.

It has been identified that the works were not authorised works as approval was not obtained from Council.
This report is required to determine the level of compliance achieved within the building and where suitable make recommendations on how compliance may be achieved.

1.2 REPORT BASIS

The content of this report reflects –

(a) The relevant principles and provisions of BCA 2019 Volume 2;
(b) A Site inspection of the premises on Wednesday the 3rd of July 2019

1.3 EXCLUSIONS

It is conveyed that this report should not construed to infer that an assessment for compliance with the following has been undertaken –

(a) Structural and services design documentation;
(b) General building services (i.e. passenger lifts);
(c) The individual requirements of service providers (i.e. Telstra, Water Supply, Energy Australia);
(d) The individual requirements of the Workcover Authority;
(e) Disability Discrimination Act (DDA).BCA Parts and clauses not immediately relevant to the unauthorised works are not considered within this report – for example a swimming pool fence inspection was not undertaken

1.4 REPORT PURPOSE

The purpose of this report is to identify the extent to which the architectural design documentation complies with the relevant prescriptive provisions of the BCA 2016.
The status of the design is summarised within Part 3 of this report.

2.0 BUILDING DESCRIPTION

2.1 GENERAL

In the context of the Building Code of Australia (BCA), the subject development is described within items 2.2 – 2.6 below.

2.2 RISE IN STOREYS (CLAUSE C1.2)

The buildings are proposed to have a rise in storeys of one (1)

2.2 BUILDING CLASSIFICATION (CLAUSE A3.2)

The buildings incorporate the following classifications: -

Class 1A	A residential Dwelling
Class 10a	A Private garage

2.3 ENERGY EFFICIENCY IN BUILDINGS (PART 3.12)

The building is an existing building a BASIX certificate is not required.

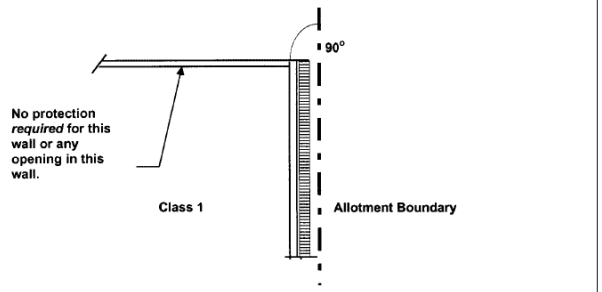
3.0 BCA ASSESSMENT – SUMMARY

3.1 SUMMARY

We have reviewed the referenced plans and in our opinion the proposal can comply with the Building Code of Australia 2016 subject to the following recommendations: -

3.2 PART 3.7.1 – FIRE SEPARATION

3.7.1.3	**External walls of Class 1 buildings** An *external wall* of a Class 1 building, and any openings in that wall, must comply with 3.7.1.5 if the wall is less than— (a) 900 mm from an allotment boundary other than the boundary adjoining a road alignment or other public space; or (b) 1.8 m from another building on the same allotment other than an appurtenant Class 10 building or a detached part of the same Class 1 building.	For Reference
3.7.1.4	**Measurement of distances** (a) The distance from any point on an *external wall* of a building to an allotment boundary or another building is the distance to that point measured along a line at right angles from the allotment boundary or *external wall* of the other building which intersects that point without being obstructed by a wall complying with 3.7.1.5. (b) Where a wall within a specified distance is *required* to be constructed in a certain manner, only that part of the wall (including any openings) within the specified distance need	Complies – a minimum 900mm setback is achieved

	be constructed in that manner. (see Figure 3.7.1.1 and 3.7.1.2a) (c) Where the distance measured is between buildings of different heights, the distance must be taken from the *external wall* with the highest elevation measured at right angles to a point that intersects a vertical projection above the adjacent wall (see Figure 3.7.1.2b). **Figure 3.7.1.1** **WALLS AT RIGHT ANGLES TO THE BOUNDARY** Note: 1. No protection *required* for the wall at right angles or more to the boundary. 2. For protection of encroachments refer 3.7.1.7.  	
3.7.1.8	**Separating walls** (a) A *separating wall* between Class 1 buildings, or a wall that separates a Class 1 building from a Class 10a building which is not appurtenant to that Class 1 building must have an FRL of not less than 60/60/60 and— (i) commence at the footings or ground slab (see Figure 3.7.1.10); and (ii) extend— (A) if the building has a *non-combustible* roof covering, to the underside of the roof covering (see Figure 3.7.1.10 and Figure 3.7.1.11); or	Generally the building is of masonry construction and does have a masonry separating wall which achieves the required 60/60/60 Fire Resistance Level (FRL); however the separating wall extends marginally above ceiling level. The masonry wall must be extended within the roof space to the underside of the roof covering. The materials selected are required to achieve an FRL of 60/60/60 from both sides of the separating wall. The construction of the wall within the roof space will require that existing roof timbers above the separating wall are cut back and the roof re-supported to ensure that the wall has no penetrations other than roof battens. It will be necessary to engage a Structural Engineer to provide advice on how this may be achieved.

	(B) if the building has a *combustible* roof covering, to not less than 450 mm above the roof covering (see Figure 3.7.1.10). (b) A *separating wall* of *lightweight construction* must be tested in accordance with Specification C1.8 of the BCA Volume One. (c) A *separating wall* complying with (a)(ii)(A)— (i) must not be crossed by timber or other *combustible* building elements except for roof battens with dimensions of 75x50 mm or less, or roof sarking; and (ii) must have any gap between the top of the wall and the underside of the roof covering packed with mineral fibre or other suitable *fire-resisting* material. (d) Where a building has a masonry veneer *external wall*, any gap between the *separating wall* and the external masonry veneer must be— (i) not more than 50 mm; and (ii) packed with a mineral fibre or other suitable fire resistant material with the packing arranged to maintain any weatherproofing requirements of Part 3.3.4. (e) Eaves, verandahs and similar spaces that are open to the roof space and are common to more than one Class 1 dwelling must be separated by a *non-combustible* vertical lining (see Figure 3.7.1.11 Diagram b). (f) Any service opening, other than those listed in (g), (h) and (i), in a *separating wall* must have construction with an FRL of not less than -/60/60. (g) If an electrical wire or cable penetrates a *separating wall*— (i) the service and building element at the penetration must be identical with a prototype assembly which has been tested in accordance with AS 4072.1 and AS 1530.4 and	

	achieved an FRL of not less than -/60/60; or (ii) the service must be installed so that— (A) the opening is neatly formed, cut or drilled and no closer than 50 mm to any other service; and (B) the opening is no larger in cross-section than— (aa) 2000 mm^2 if only a single cable is accommodated and the gap between the cable and the wall is no wider than 15 mm; or (bb) 500 mm^2 in any other case; and (C) any gap between the service and the wall is packed with mineral fibre or other suitable fire resistant material. (h) If an electrical switch, outlet, socket or the like is accommodated in a *separating wall*— (i) the service and building element at the penetration must be identical with a prototype assembly which has been tested in accordance with AS 4072.1 and AS 1530.4 and achieved an FRL of not less than -/60/60; or (ii) the service must be installed so that— (A) the opening or recess must not— (aa) be located opposite any point within 300 mm horizontally or 600 mm vertically of any opening or recess on the opposite side of the wall; or (bb) extend beyond half the thickness of the wall; and (B) any gap between the service and the wall is packed with mineral fibre or other suitable fire resistant material. (i) Other than where a tested system is used in accordance with (h)(i), if an electrical switch, socket, outlet or the like is accommodated in a hollow *separating wall* (such as a stud wall, masonry *cavity* wall or a wall of hollow blockwork), the *cavity* immediately behind the service must be framed	

	and packed with mineral fibre or other suitable fire resistant material (see Figure 3.7.1.11 Diagram c).	

3.3 PART 3.7.2 – SMOKE ALARMS

Clause	Requirement	Recommendation
3.7.2.2	Requirements for smoke alarms	Smoke alarm installation is required to comply with AS 3786. The building currently has a battery-operated smoke alarm to dwelling 1 (front dwelling) and no smoke alarm to dwelling 2 (rear dwelling)
3.7.2.3	Location — Class 1a buildings	AS 3786 compliant hard wired Smoke alarms with battery back up must be provided to each dwelling

3.4 PART 3.8.2 – ROOM HEIGHTS

Clause	Requirement	Recommendation
3.8.2.2	**Ceiling heights** Ceiling heights (see Figure 3.8.2.1) must be not less than— (a) in a *habitable room* excluding a kitchen — 2.4 m; and (b) in a kitchen — 2.1 m; and (c) in a corridor, passageway or the like — 2.1 m; and (d) in a bathroom, shower room, laundry, *sanitary compartment*, airlock, pantry, storeroom, garage, car parking area or the like — 2.1 m; and (e) in a room or space with a sloping ceiling or projections below the ceiling line within— (i) a *habitable room*— (A) in an attic — a height of not less than 2.2 m for at least two-thirds of the floor area of the room or space; and	Ceiling heights within the lounge room lounge room of dwelling 2 does not comply as follows:- Location / Required / Achieved Lounge / 2.4m / 2.32m In my opinion the requirements of Performance Provision P2.4.2 are achieved within these areas as • substantial light and ventilation are provided to each location • The rooms experience a low occupancy rate • Occupants are generally familiar with their surroundings

	(B) in other rooms — a height of not less than 2.4 m over two-thirds of the floor area of the room or space; and (ii) a non-*habitable room* — a height of not less than 2.1 m for at least two-thirds of the floor area of the room or space, and when calculating the floor area of a room or space, any part that has a ceiling height of less than 1.5 m is not included; and (f) in a stairway — 2.0 m measured vertically above the nosing line	

Author

KIERAN TOBIN
ACCREDITED CERTIFIER BPB NO 0409
4 July 2019