

## Building Assessment Referral Response

Application Number:	DA2018/1623
To:	Adam Urbancic
Land to be developed (Address):	Lot 171 DP 13643 , 202 Woorarra Avenue ELANORA HEIGHTS NSW 2101

### Reasons for referral

This application seeks consent for Class 2-9 Buildings (i.e. all buildings except a dwelling, garage, shed, gazebo or swimming pool/spa) which include:

- Alterations and Additions; or
- Change of Use

And as such, Councils Building Assessment officers are required to consider the likely impacts.

### Officer comments

The application has been investigated with respects to aspects relevant to the Building Certification and Fire Safety Department. There are no objections to approval of the development subject to inclusion of the attached conditions of approval and consideration of the notes below.

*Note: The proposed development may not comply with some requirements of the BCA and the Premises Standards. Issues such as this however may be determined at Construction Certificate Stage.*

### Change of Use/Building Upgrade

The existing building that is proposed to be converted to a secondary dwelling will result in a change of classification to a Class 2 building and will be required to be upgraded to comply with the provisions of the Building Code of Australia.

Details of upgrading works are to be included in the Construction Certificate and be implemented prior to occupation of the new building or part.

Reason: To ensure adequate provision is made for fire safety in the premises for building occupant safety.

### Recommended Building Assessment Conditions

#### CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

#### Change of Use

A person must not commence occupation or use (or change of use where an existing building) of the whole or any part of a building (within the meaning of section 109H (4) of the Act) unless an Interim

Occupation Certificate or Final Occupation Certificate has been issued in relation to the building or part.

The Principal Certifying Authority is required to be satisfied, amongst other things, that the building complies (or will, when completed, comply) with such of the Category 1 fire safety provisions as are applicable to the building's proposed use.

**Note:** The obligation to comply with the category 1 fire safety provisions may require building work to be carried out even though none is proposed or required in relation to the relevant development consent.

Reason: Statutory requirement under S109N of the Environmental Planning & Assessment Act 1979.

### **Fire Safety Matters**

At the completion of all works, a Fire Safety Certificate will need to be prepared which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and the NSW Fire Brigade.

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

Each year the Owners must send to the Council and the NSW Fire Brigade an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

Reason: Statutory requirement under Part 9 Division 4 & 5 of the Environmental Planning and Assessment Regulation 2000.