

## Building Assessment Referral Response

<b>Application Number:</b>	DA2019/0875
<b>To:</b>	Rhiannon McLardy
<b>Land to be developed (Address):</b>	Lot 10 DP 655639 , 509 Pittwater Road BROOKVALE NSW 2100

### 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

No objections subject to required upgrade conditions as noted to ensure occupant safety and Health /Amenity requirements are achieved for users of the facility.

### Recommended Building Assessment Conditions

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

#### Fire Safety - Egress and Essential Services Upgrade

Building Code of Australia compliant 'Essential Fire Safety services and equipment', and compliant 'Egress' provisions (BCA Volume 1- Part D and E), generally consisting of Emergency Lighting, Exit Signage, Portable Fire Extinguishers, Hose Reels, Fire Detection & Alarm System/s and the like, and required Egress Travel distances, Egress doors and Door Hardware are to be provided to the degree necessary to the tenancy.

All works being certified upon completion as being capable of performing their intended function/s by a suitably qualified person prior to any use or occupation of the premises/tenancy occurring, and prior to the issue of any interim or final occupation certificate.

Details demonstrating implementation and compliance are to be submitted to the Principal Certifying Authority prior to any use or occupation of the premises, and prior the issue of any Interim / Final Occupation Certificate.

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

#### 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.

**Building Code of Australia 'Ventilation, Shower and Sanitary facilities'**

Building Code of Australia (BCA) compliant 'Ventilation, Shower and Sanitary facilities' (BCA Volume 1-Part F), are to be provided to the degree necessary to the tenancy.

All works being certified upon completion as being capable of performing their intended function/s by a suitably qualified person prior to any use or occupation of the premises/tenancy occurring, and prior to the issue of any interim or final occupation certificate.

Details demonstrating implementation and compliance are to be submitted to the Principal Certifying Authority prior to prior to any use or occupation of the premises, and prior the issue of any Interim / Final Occupation Certificate.

Reason: To ensure adequate provision is made for Health and Amenity in the premises for occupants.

**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 Fire and Rescue NSW.

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 Fire and Rescue NSW, 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.