

## Building Assessment Referral Response

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| <b>Application Number:</b>             | DA2019/0349   |
| <b>To:</b>                             | Benjamin Price  |
| <b>Land to be developed (Address):</b> | Lot 2 DP 758566 , 25 Ballyshannon Road KILLARNEY HEIGHTS NSW 2087 |

### 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.

### Recommended Building Assessment Conditions

#### **CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE**

#### **Change of Building Class/Building Upgrade**

The proposed modifications to the existing building that include 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 Parts C & F (specifically sound transmission ratings) of the Building Code of Australia.

Details demonstrating compliance are to be provided to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure adequate provision is made for fire safety and for building occupant safety

#### **Laundry Facilities**

The proposed modifications to the existing building to include a secondary dwelling is required to comply with Part F2.1 of the Building Code of Australia –'Facilities in residential buildings'.

Details demonstrating compliance are to be provided to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure adequate provision is made for building occupant health and amenity

#### **Construction in Bush Fire Prone Areas**

The recommendations made in the Bush Fire Assessment Report prepared by Building Code & Bushfire Hazard Solutions, dated 9 April 2019, Report Ref No.180722 are to be carried out to the building.

Details demonstrating compliance are to be provided to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure adequate provision is made for the design and construction of the building to reduce the risk of ignition from a bushfire and provide building occupant safety

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

#### **Change of Building Class/Building Upgrade**

The existing levels of essential fire safety measures that are to be upgraded to achieve an adequate level of fire safety in accordance with the provisions of clause 94 of the Environmental Planning and Assessment Regulation 2000 and Parts C & F (specifically sound transmission ratings) of Volume 1 of the Building Code of Australia are to be certified upon completion as being capable of performing their intended function/s, by a suitably qualified person/s prior to any use or occupation of the premises/tenancy occurring, and prior to the issue of any interim or final occupation certificate.

Reason: To ensure adequate provision is made for Access, Fire safety and for building occupant safety

#### **Construction in Bush Fire Prone Areas**

The recommendations made in the Bush Fire Assessment Report prepared by Building Code & Bushfire Hazard Solutions, dated 9 April 2019, Report Ref No.180722 are to be carried out in full to the building.

Details demonstrating implementation and compliance are to be submitted to the Principal Certifier prior to the issue of any Interim or Final Occupation Certificate.

Reason: To ensure adequate provision is made for the design and construction of the building to reduce the risk of ignition from a bushfire and provide building occupant safety

#### **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 Principal Certifier prior to the issue of any Interim or 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.