

## Building Assessment Referral Response

<b>Application Number:</b>	DA2021/2173
<b>Date:</b>	30/11/2021
<b>To:</b>	Adam Mitchell
<b>Land to be developed (Address):</b>	Lot 7094 DP 1059297 , 394 Barrenjoey Road NEWPORT NSW 2106 Lot 1 DP 1139445 , 394 Barrenjoey Road NEWPORT NSW 2106

### 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.

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

### Recommended Building Assessment Conditions

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

### Building Code of Australia Requirements

The Building Code of Australia works and fire safety measures for the building as detailed and recommended in the Building Code of Australia Assessment Report prepared by BCA Logic, dated 22/9/2020, Report Ref No. 10926-BCA-r4 are to be considered as part of the assessment of the Construction Certificate. 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 Health, Amenity, access and Fire safety for building occupant health and safety.

### **Building Code of Australia Access Report**

Access and facilities to and within the building are to be provided for Persons with a Disability and are to comply with the Building Code of Australia and AS 1428.1. In this regard consideration is to be given to the Access Assessment Report dated 22/9/2020 prepared by BCA Logic. Details are to be provided to the Certifying Authority prior to the issue of the Construction Certificate and be implemented prior to occupation of the building.

Reason: To ensure adequate provision is made for access to and within the building for Persons with a disability.

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

### **Requirements for Occupation**

#### **1. Removal of All Temporary Structures/Material and Construction Rubbish**

Once construction associated with this Consent has been completed any remaining silt and sediment fences, silt, rubbish, building debris, straw bales and temporary fences are to be removed from the site. Where required, details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

Reason: To ensure foreshore amenity is restored post works.

#### **2. Certification of works**

The completed coastal protection works are to be certified by a suitably qualified Coastal Engineer as being constructed in accordance with the approved design and performance criteria. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate and these Certifications are to be provided to Council.

Reason: To ensure appropriate design and construction of coastal protection works.

#### **3. Surveys During Works and Post completion survey**

A report issued by a registered surveyor is required as evidence that all construction has been effected in accordance with the Development Consent, approved plans and details in the Consent. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to issue of an occupation certificate. The Survey plan and report is to be provided to Council on issue of the Occupation Certificate.

Reason: To ensure accurate location of coastal protection works.

### **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.