

19/02/2025

Northern Beaches Council  
Att: Assessing Officer  
PO Box 82  
Manly NSW 1655 Australia

Dear Assessing Officer,

**Building Code of Australia 2022 BCA Capability Statement – Change of Use DA**  
**Project: Lifeline Northern Beaches**  
**Property: 14 Cross Street, Brookvale NSW 2100**  
**Project Number: GDL250013**

The purpose of this submission is to advise that we have undertaken a preliminary assessment of the architectural drawings, as listed below in Appendix A, to determine if the proposed development is capable of achieving compliance with the provisions of the National Construction Code 2022, Volume 1, Building Code of Australia, BCA Class 2 to 9 Buildings (BCA), as per the requirements under Section 19 of the Environmental Planning & Assessment (Development Certification and Fire Safety) Regulations 2021 ("EP&A Regs Fire Safety").

## Proposed Development:

The site is located at No 14 Cross Street, Brookvale on the eastern side of Cross Street. The site is identified as Lot 26 in DP204107 with a site area of 928.7sqm.

The current site consists of a ground floor factory / workshop and level 1 office space. The present submission seeks approval for the use of the premises for the purposes of goods repair and reuse premises. The total floor area of the proposed retail sales / op-shop is approximately 251m<sup>2</sup>. There is no proposed change of use to part of Ground Floor which will remain for processing goods, and level 1 which will remain as office space. It is understood that any further internal fitout alterations will have an area of works at not more than 457m<sup>2</sup>.

The BCA Classification for the change has been captured in the table below.

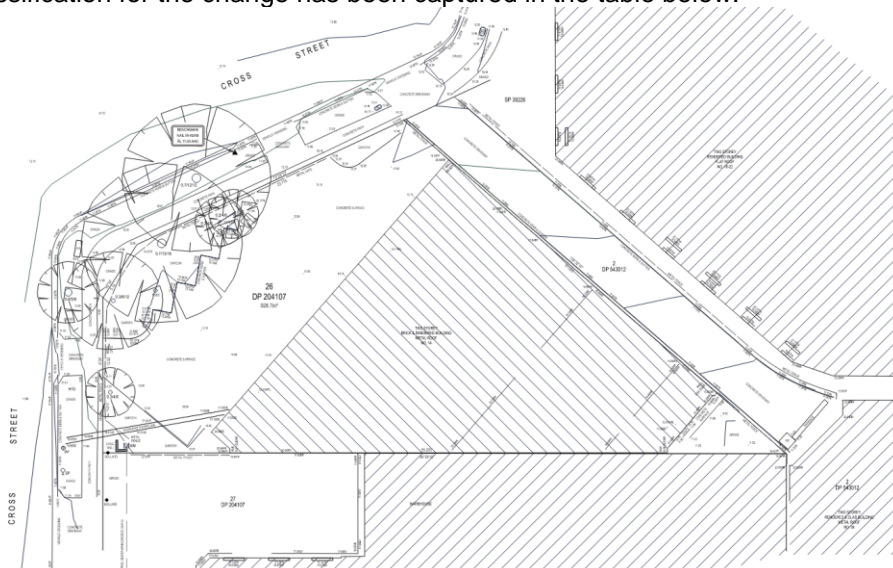


Figure 1 - Site Location

## BCA Building Characteristics

Characteristic	Description
Classifications	<p>Current:</p> <ul style="list-style-type: none"> <li>Ground Floor: Class 8 Factory / Workshop</li> <li>Level 1: Class 5 Office</li> </ul> <p>Proposed</p> <ul style="list-style-type: none"> <li>Ground Floor: Class 6 Retail Shop &amp; Class 8 Factory / Workshop</li> <li>Level 1: Class 5 Office (No Change)</li> </ul>
Type of Construction:	Type C
Floor Area of Building:	714.07 m <sup>2</sup>
Proposed Area of Change of Use	251m <sup>2</sup>
Rise in Storeys:	2
Effective Height:	Less than 12m

Table 1 – Building Characteristic

Compliance with the BCA for the proposed development is capable of being achieved by a combination of compliance with the deemed-to-satisfy (DTS) provisions and the provision/documentation of Performance Solutions in accordance with Clause A5.2 of the BCA by a suitably qualified consultant/s to achieve compliance with the performance provisions of the BCA, the provision and assessment of these reports/documents/plans will occur at the Comply Development Certificate (CDC) stage.

At this stage of the documentation, the following items have been identified which are to form part of the performance solution justifications and/or be rectified accordingly, either way compliance will be illustrated as the Detailed Design Stage:

- Main entry doorway with at least 850mm min. clear width door opening (active leaf), with 530mm min. latch door circulation space across 1450mm min. length that is level on both sides (generally at least 1500mm x 1500mm area no steeper than 1:40 gradient/crossfall), compliant door hardware, luminance contrast around doorway to meet AS1428.1:2009.
- Threshold ramps that are no steeper than 1:8 gradient and comply with AS1428.1 are to be provided for height variations of 35mm.
- If the height variation is more than 35mm and less than 190mm, step ramps no steeper than 1:10 gradient would be required with an appropriate size level landing on both sides for door circulation area to meet AS1428.1:2009.

Notwithstanding the above comments we note that specific detailed compliance with the BCA is not a prescribed head of consideration under Section 4.15 of the Environmental Planning & Assessment Act 1979 and accordingly, we trust that the determination of the development application will not be subject to the assessment of any technical matters under the state's building regulations.

Clause 142 of the Environmental Planning and Assessment Regulation 2021, requires consideration to be given to the existing buildings fire protection, structural capacity, and category 1 fire safety provisions. The below table provides a summary of requirements under this Clauses

Item	BCA Clause	Discipline	Upgrade Summary
<b>BCA Part B – Structural</b>			
Structural	Part B	Structural Engineer	<b>Structural Engineer to confirm compliance</b> with the structural provisions of the existing building against Clause 14 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 or Clause 142 of the Environmental Planning and Assessment Regulation 2021 and note any shortfalls. Site Audit and Report will be required.
<b>BCA Part C – Fire Resistance</b>			
Fire Ratings	Part C	Structural Engineer	No Action Required - The fire ratings between Class 8 and Class 6 in a Type C Construction are the same. There are no additional fire rating requirements for this change in use.
<b>BCA Part E – Category 1 Fire Safety Provisions</b>			
Fire Hydrants	E1P3	Fire Services Engineer	The building does not contain any internal Fire Hydrant System and coverage is expected to be provided from Street Hydrant. <b>Fire Services Engineer is to confirm</b>
Automatic Fire Suppression Systems	E1P4	-	No Action Required - Not applicable to this project, as the building is less than 25m in effective height and is not defined as occupancies of excessive hazard
Fire Control Centers	E1P6	-	No Action Required - Not applicable to this project, as the building does not contain a Fire Control Centre
Automatic Warning for Sleeping Occupants	E2P1	-	No Action Required - Not applicable to this project, which only applies to Class 2, 3, 9a or 9c building or Class 4 part of a building.
Safe Evacuation Routes (Smoke Hazard Management)	E2P2	-	No Action Required - Not applicable to this project, as the building is less than 25m in effective height, less than 2,000m <sup>2</sup> fire compartment, does not have a riser in storey of more than 2, and is considered to contain a single fire compartment.
Emergency Lifts	E3P2	-	No Action Required - Not applicable to this project, as the building is less than 25m in effective height and there are no passenger lifts.

In this regard and pursuant to Clause 36 of the Environmental Planning & Assessment Regulations 2021 ("EP&A Regs 2021"), we trust that the Consent Authority will not require any additional information in the determination of the development application for technical BCA matters relating to the change of use that will be assessed at the Comply Development Certificate (CDC) stage.

# GROUP DLA

We trust this submission satisfies any concerns of the Consent Authority with compliance of the development with the relevant requirements and provisions of the BCA.

Should you require further assistance or clarification please do not hesitate to contact the undersigned at your convenience.

Yours sincerely



**Shane Berry**

Technical Director (*Accred. Certifier - A1*)

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## Appendix A – Plan Documentation Assessed

Drawing No.	Title	Prepared By	Revision	Date
367_DA_111	Site Plan	Collins and Turner	02	17/2/2025
367_DA_140	Change of Use Area Plan	Collins and Turner	02	17/2/2025
367_DA_141	Operational / Functional Area Plan	Collins and Turner	02	17/2/2025