

## Building Assessment Referral Response

<b>Application Number:</b>	Mod2024/0051
<b>Proposed Development:</b>	Modification of Development Consent N0440/15 for the subdivision of land and the construction of a residential development incorporating 81 dwellings and associated civil works and landscaping
<b>Date:</b>	10/05/2024
<b>To:</b>	Maxwell Duncan
<b>Land to be developed (Address):</b>	Lot 1 DP 5055 , 8 Forest Road WARRIEWOOD NSW 2102

### 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

#### Amended BCA Report

The application has been further investigated with respects to aspects relevant 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 application has been investigated with respect to aspects relevant to the Building Certification and Fire Safety Department.

Prior to further consideration by Building Control the following is required:

The BCA Assessment report prepared by Building Code Professionals dated 9/11/2023 is not acceptable. A 'Building Code of Australia (BCA) Assessment Report' / 'Fire Audit Report' from an appropriately qualified Registered Certifier\* will need to be submitted .

\*To be regarded as an "appropriately qualified registered certifier" the certifier must hold the relevant level of accreditation that would enable the certifier to issue a construction certificate for the subject building.

The proposal is therefore unsupported.

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 Fire Safety Requirements**

The Building Code of Australia fire safety requirements for the building as detailed and recommended in the BCA Assessment Report prepared by Building Code Professionals Pty Ltd, dated 4/4/2024, Rev 1, including any required Performance Reviews, are to be considered as part of the assessment for any Construction Certificate. Details demonstrating compliance are to be provided to the Certifying Authority, prior to the issue of a Construction Certificate.

Reason: To ensure adequate provision is made for Health, Amenity, access and Fire safety for building occupant health and safety.

### **Access and Facilities for Persons with Disabilities**

Access and facilities to and within the building are to be provided as required for Persons with a Disability in accordance with the Building Code of Australia and AS1428. In this regard the Access Compliance Assessment Report prepared by AE&D Group dated 8/2/2024, Report No, 12451, Rev 00, is to be taken into consideration as part of the Construction Certificate assessment. 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**

### **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 a part Occupation Certificate or 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 Parts 10, 11 & 12 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.