

Building Assessment Referral Response

Application Number:	DA2020/0202
Date:	23/03/2020
To:	David Auster
Land to be developed (Address):	Lot 2651 DP 752038 , 6 Wearden Road BELROSE NSW 2085

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 reviewed and no objections are raised subject to the building being upgraded to comply with the requirements of the Building Code of Australia (BCA Volume 2). It is noted that the building does not meet the standards expressed within the BCA for a Class 1a structure for which Development Consent is sought.

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

Fire Safety Upgrade

The buildings eastern wall and all associated components are to be upgraded to comply with the requirements of Volume 2 of the Building Code of Australia (BCA), Part 3.7.2.4.

All works are to be independently certified by a suitably qualified Accredited Certifier or Fire Engineer as compliant with the BCA upon completion.

Details demonstrating implementation and compliance are to be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate.

Reason: To ensure adequate provision is made for fire safety in the premises for building occupant safety, and protection from spread of fire between properties.

Certification of Construction Capability and Compliance

The following building components are to be certified as adequate to perform their intended function

and compliant with relevant Australian Standards by an independent and suitably qualified person:

- a) All structural elements;
- b) Waterproofing to wet areas;
- c) Glazing to all windows, doors and shower screens;
- d) All electrical components;
- e) All plumbing and drainage works (note: the S/W drainage system is to be upgraded and drain via an approved S/W line to the street gutter);
- f) Termite management System.
- g) Smoke Alarm System

Details demonstrating implementation and compliance are to be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate.

Reason: To ensure that the building complies with relevant legislation and is fit for purpose for 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 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 Certificate - Unauthorised Works on site

An application for a Building Certificate is to be lodged with Council and determined in relation to all unauthorised works onsite.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Occupation Certificate for the building (or part), and any use of the building (or part) occurring.

Reason: To seek to regularise unauthorised development and ensure the unauthorised parts of the structure are fit for purpose.