

Building Assessment Referral Response

Application Number:	DA2020/0375
Date:	28/08/2020
To:	Penny Wood
Land to be developed (Address):	Lot 8 SP 18046 , 8 / 38 - 42 The Corso MANLY NSW 2095

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 aspects relevant to the Building Code of Australia (BCA) and Fire Safety considered. In the absence of sufficient information demonstrating that the proposal is capable of complying with relevant aspects of the BCA a deferred Commencement Consent is recommended. Accordingly, there are no objections to granting Consent to the application subject to required upgrading conditions being included to address legislative requirements appropriate to health, safety and amenity of tenancy / building occupants.

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

DEFERRED COMMENCEMENT CONDITIONS

Building Code of Australia - Fire Safety, Toilet Facilities and Sound Transmission requirements

A 'Building Code of Australia (BCA) Assessment Report' from an appropriately qualified Accredited Certifier* is required to be submitted prior to activation of this Consent.

The report is to detail the extent to which the existing tenancy, does or does not comply with the deemed-to satisfy provisions of BCA, Parts C (Fire Safety and separation between Classes), D (Egress and Access), E (Services and Equipment within the Tenancy), and F (Sound Transmission between the different BCA classes, and toilet facilities and services appropriate for the development). The report is to also provide recommendations with respect to the existing tenancy and detail what works are

required to ensure that the specified components, measures and facilities contained in the existing tenancy (or servicing the tenancy in respect of Toilet facilities), including any modifications to be made by the proposed development are appropriate for its intended use to:

- i) restrict the spread of fire from the building to other tenancies/buildings nearby, and
- ii) protect persons using the building to the degree necessary, and to facilitate their egress from the building in the event of fire, and
- iii) where appropriate, provide access for persons with a disability, and
- iv) provide toilet facilities and services appropriate for the development, and
- v) provide appropriate Sound Transmission mitigation measures where required.

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

The BCA assessment report / 'Fire Audit Report' is to be submitted to the Certifying Authority for consideration prior to activation of this Consent and further use of the affected parts.

Reason: To ensure adequate provision is made for Health, Amenity, Access and Fire safety within the building for occupant health and safety

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 Certifying Authority prior to the issue of the Interim / 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.